


T H E
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JOURNAL of the PROCEEDINGS and DEBATES in the
POLITICAL CLUB, continued from Page 335.

OON after the Beginning of last Session of Parliament, the Gentlemen of our Club foresaw, that some Question relating to the Convention, which had just before been concluded with *Spain*, would probably come before Parliament, and consequently would become the Subject of a Debate at some of our future Meetings; our Conversation therefore turned, at a Meeting we had, the 6th of *February* last, upon, what Papers were necessary to be seen, in order to give Gentlemen a thorough Light into that grand Affair; upon which Occasion, several Things were proposed, which were unanimously approved of; but *L. Junius Brutus* having said, that if he were a Member, he would move for the two following Resolutions, *viz.* That an humble Address should be presented to his Majesty, that he would be graciously pleased to give Directions for laying before Parliament, Copies of all Letters written, and Instructions given by the Secretaries of State, or Commissioners

for executing the Office of Lord High Admiral of *Great Britain*, to any of the Governors of the *British* Plantations in *America*, or any Commander in Chief, or Captains of his Majesty's Ships of War, or his Majesty's Minister at the Court of *Spain*, or any of his Majesty's Consuls in *Europe*, since the Treaty of *Seville*, relating to any Losses sustained by his Majesty's Subjects, by Means of Depredations committed by the Subjects of the King of *Spain*, in *Europe* or *America*, which had not before been laid before Parliament. And,

That an humble Address should be presented to his Majesty, that he would be graciously pleased to give Directions for laying before Parliament, Copies of such Memorials or Representations, as had been made either to the King of *Spain* or his Ministers, since the Treaty of *Seville*, relating to Losses sustained by his Majesty's Subjects, by Means of Depredations committed by the Subjects of the King of *Spain*, in *Europe* or *America*, which had not before been laid before Parliament.

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As several Gentlemen thought that these two Questions might admit of some Debate, it was resolved to make this the Question of the Day, whereupon L. Junius Brutus stood up, and spoke in favour of the Resolutions he had proposed, to the Effect as follows, viz.

Mr. President,
S I R,

AS his Majesty, in his Speech from the Throne, acquainted us, that the Treaty or Convention lately concluded with *Spain*, would be laid before us in this Session of Parliament, and as we must presume, that when it is laid before us and taken into Consideration, some Sort of Proposition or Motion will be made, either for approving or disapproving of that Treaty, we ought therefore to have every Thing laid before us that may any Way relate to it, or to the long Negotiation that was carried on for bringing it about. When I say so, Sir, I do not mean that we are either to approve or disapprove of any Thing that has been done by his Majesty: In all such Cases we are to look upon what has been done, as done by his Majesty's Ministers, and their Doings we may censure, we may condemn, we have often too good Reason to condemn. What may be the Fate of this Convention, or what Fate it may deserve to meet with in this House, I shall not now pretend to determine; but that we may neither justify nor condemn, applaud nor censure, without a good Reason, I think it is absolutely necessary for us to know, how Matters stand, at present, between us and *Spain*: What are the chief Causes of the Disputes that have so long subsisted between the two Nations: And what Measures have been taken for clearing up or putting an End to those Disputes.

For this Purpose, Sir, it is certainly as necessary for us to see the Letters and Instructions sent to the Governors of our Plantations, or to any Commander in Chief, or Captains of his Majesty's Ships of War, especially such of them as have been stationed in the *West-Indies*, relating to the *Spanish* Depredations, as it is for us to see the Letters received from them; and as you have already resolved to address for the latter, if you act consistently, you must resolve to address for the former likewise; for it will be impossible to understand or comprehend fully the Meaning of those Letters that have been received from them, without having at the same Time before you, the Letters and Instructions sent to them, relating to the Depredations committed by the *Spaniards*. Nay, it must be allowed, that it is more necessary for us to see the Letters and Instructions that have been sent, than to see the Letters that have been received; for it is not the Conduct of our Governors or Commanders, it is the Conduct of our Ministers that must, upon the present Occasion, be the Subject of our Enquiry; and their Conduct can appear only from the Letters and Instructions they have sent.

As the *Spaniards*, Sir, have of late Years set up several unjust Claims against us, as they have under Colour of those Claims, for several Years, without Intermision, committed great Depredations upon our Merchants, and as our Ministers could not but foresee, that in their Way of Negotiating, it would be a long Time before the Disputes between the two Nations could be adjusted by Treaty, it was incumbent upon them to send, in the mean Time, such Instructions to our Governors and Commanders in the *West-Indies*, as were most proper for preventing any new Depredation; because every new Depredation

ation that was committed, was not only a new Insult put upon the Crown of *Great Britain*, and a new Loss to our Merchants, but it was also a new Difficulty thrown in the Way of their Negotiation; for surely they were not so short-sighted as not to foresee, that the higher our Demands rose, the more difficult they would find it to obtain Redress by peaceable Methods. It was therefore their Duty to send such Instructions to the Governors of our Plantations, and to the chief Commanders or Captains of his Majesty's Ships of War, stationed in those Parts, as might prevent any of our Merchant-Ships falling into the Hands of the *Spanish Guarda Costas*; but whether they have performed, or failed in their Duty, in this Respect, can be known only by seeing the Letters or Instructions they have sent: We can get no proper Insight into it, from any of the Letters they have received.

Then, Sir, as to the Letters and Instructions given to his Majesty's Minister at the Court of *Spain*, and Consuls in *Europe*, relating to any Losses sustained by his Majesty's Subjects, by Depredations committed by the *Spaniards*, in *Europe* or *America*, we have already resolved to address for the Letters received from them upon that Subject; which shews that we think it necessary for us to see those Letters upon this Occasion; but I should be glad to know, what Use we can make of the Letters received from them, unless we have at the same Time before us, the Letters and Instructions sent to them: The former must necessarily relate to the latter, and therefore it is impossible to understand, or make any Thing of the former, without seeing the latter. For my own Part, I shall not be at the Pains to peruse, or so much as look into any of the Letters we have resolved to address for, unless I have at the same Time

an Opportunity of seeing the Letters and Instructions now proposed to be addressed for; and I must suspect that those who are against the Resolutions now proposed, are conscious that some false Step or wrong Measure will appear from a full View of this Correspondence, and that therefore they have a Mind to baffle the Effect of the Resolutions we have come to, by getting a Negative put upon those Resolutions, which, 'tis now proposed, we should come to.

As our Ministers abroad, Sir, act only by the Orders and Instructions they receive from hence, their Conduct cannot come properly under our Consideration, till we have examined into the Conduct of those that gave them their Orders or Instructions, unless it should be said that they had exceeded their Instructions, or not fulfilled, or disobeyed, the Orders they received. Our first Business must therefore be, to examine into the Conduct of those, who gave them their Orders or Instructions, and this we cannot do without seeing those Orders and Instructions. Even if it should be said, that they had exceeded or acted contrary to their Instructions, it is what we cannot enquire into, nor form any Judgment of, without seeing those Instructions; and therefore, I must think, that in either Case, it is more necessary for us, upon the present Occasion, to have laid before us, the Letters and Instructions sent to his Majesty's Minister in *Spain*, and Consuls in *Europe*, than to have laid before us, the Letters that have been received from them: For which Reason, I cannot but be surprized, that any Gentleman who agreed to our addressing for the latter, should oppose our addressing for the former.

Sir, The Indignities that have been put upon the Crown and Flag of *Great Britain*, the Insults that have been put upon the Nation, and

the Injuries that have been done to our Merchants and Seamen, have been so great, so frequent, and so long continued, that I am amazed how the Affair could continue so long in the Shape of a Negotiation. Considering the Treatment some of A his Majesty's Subjects had met with, and the Dangers our Trade lay exposed to, it became absolutely necessary for us to make Remonstrances to the Court of *Spain* in the strongest Terms, and to insist upon a speedy and categorical Answer. If we had B done so, it is hardly possible the Affair could have remained so long in the Shape of a Negotiation; it must, long before now, have come to an open Rupture, or a real, and not a sham definitive Treaty; and therefore, I am apt to suspect, that the Letters and Instructions sent to our Ministers abroad, have not been such as they ought to have been. This, with some Gentlemen, may be a good Reason for not having those Letters and Instructions made publick; but with me, it is a strong, D or said to them. Tho' I do not think there is much in this Argument, and tho' I am of Opinion, that we ought, upon this Occasion, to see even the Memorials, Representations, or Answers, delivered by the Court of *Spain*, yet I purposely avoided including them in my Motion, that there might be no Pretence for making an Objection against it; for I am sure, the Court of *Spain* can have no Pretence for taking it amiss, that a *British* Parliament should be allowed to see those Memorials and Representations that have been drawn up by *British* Ministers.

These, Sir, are my Reasons for the first Resolution I have taken the Liberty to propose; and as for the other, it is of such a Nature, that I am surprized how any Gentleman can think, that we can know any Thing of the Convention that is to be laid before us, or of the Negotiation that has been carried on for bringing it about, without seeing the Memorials and Representations that F have been made to the King of *Spain* or his Ministers, relating to the *Spanish* Depredations. I hope, that, upon our Part at least, there are no Secrets between our Ministers and the Court of *Spain*, but what may be divulged to this House, or even G to the whole Nation; I hope the Memorials and Representations drawn up and sent to *Spain* by our Minis-

ters, contain nothing but a plain Representation of our Rights, and of the Injuries we have suffered, and an honest, tho' peremptory Demand of Satisfaction, Reparation, and Security. If this be the Case, the laying them before this House, can be attended with no bad Consequence: It can no Way interrupt the Course of our Negotiations, nor can it bring a Censure upon any Man that was concerned in drawing them up. If I had moved for the B Memorials, Representations, or Answers, that had been delivered to his Majesty, or any of his Ministers, in the Name, and by Order of the King of *Spain*, it might perhaps have been said, that the laying of such Papers before this House, would C interrupt the Course, and might prevent the Effect of our peaceable Negotiations; because the Court of *Spain* might from thence draw a Pretence, for refusing to correspond or treat any longer with those, who could conceal nothing that was wrote D or said to them. Tho' I do not think there is much in this Argument, and tho' I am of Opinion, that we ought, upon this Occasion, to see even the Memorials, Representations, or Answers, delivered by the Court of *Spain*, yet I purposely avoided including them in my Motion, that there might be no Pretence for making an Objection against it; for I am sure, the Court of *Spain* can have no Pretence for taking it amiss, that a *British* Parliament should be allowed to see those Memorials and Representations that have been drawn up by *British* Ministers.

It is not so much as pretended, Sir, that the Treaty or Convention to be laid before us is a definitive Treaty. His Majesty, in his Speech from the Throne, has told us, that it is not a definitive Treaty: He has told us, that those Grievances and Abuses, which have hitherto in-

interrupted our Commerce and Navigation in the *American* Seas, and all other Disputes between the two Nations, except that of Reparation to our fellow Subjects for their Losses, remain yet to be regulated and settled by Plenipotentiaries. I A with the only Article that is settled, may not appear to have been settled to our Disadvantage. But this is not the only Thing we are to enquire into, when we come to examine this Convention. If the Court of *Spain* appeared to be in an B Humour to give us full Satisfaction, with respect to all the other Matters which they have been allowed of late Years to dispute with us, our agreeing to such a preliminary Convention, and even our yielding a little with respect to the Article C that is settled, may, perhaps, be justified: But if, on the contrary, the Court of *Spain* appeared to be in no Humour to give us a proper Satisfaction, with respect to any one of the Matters now in Dispute between us, considering the Danger D our Trade and Navigation lies exposed to, by the unjust, and hitherto unheard of Claim they have set up, of searching our Ships in the open Seas, it was ridiculous in us to agree to any Preliminaries, without having that Point first settled to our Satisfaction, and still more ridiculous to accept of any partial Reparation for the Losses our Merchants and Seamen have already sustained by their Depredations. Therefore, when we come to examine into this Convention, the F chief Point that will come under our Consideration must be, to know what Humour the Court of *Spain* seems to be in, and what we may expect by the Delay which this preliminary Convention must occasion; and, I should be glad to know, how we can form any Judgment as to this Point, without seeing at least those Memorials and Representa-

tions, which our Ministers have thought fit to make to the King of *Spain* and his Ministers; for, from what his Majesty has told us of the Convention, I am sure we can form no Judgment as to this Point, from any Article in the Convention itself.

I do not know, Sir, what some Gentlemen may think his Majesty means by ordering the Convention to be laid before us. Perhaps they may think, that we ought only to read it over, and thereupon present a polite Address in the modern Way, applauding the Wisdom of his Majesty's Measures, that is to say, the Wisdom of those who advised him to take such Measures. But, I must think, his Majesty does C not mean any such Thing. He means, I am sure, that we should not only read it, but examine it thoroughly, and that, after we have examined the whole Affair to the Bottom, we should give him our honest and sincere Opinion. This, D I am convinced, is what his Majesty means by ordering the Convention to be laid before us; and this we cannot comply with, till at least all the Papers now moved for be laid before us; therefore in Duty to his Majesty, as well as out of E Regard to our own Honour, we ought to agree to the two Resolutions I have taken the Liberty to propose.

The next Speech I shall give you upon this Occasion, is that which was made by M. Tullius Cicero, who spoke to the following Effect, viz.

*Mr. President,
S I R,*

I BELIEVE no Gentleman who has the Honour to be a Member of this House supposes, that we are not to examine into the Nature of the Convention lately concluded with *Spain*, or that his Majesty intends we

we should not. I am sure I do not suppose any such Thing: On the contrary, I hope, that when it is laid before us, we shall not only examine thoroughly every Article of it, but also that we shall examine into the present Circumstances of Affairs both at home and abroad; which we must do, before we can form a right Judgment of the Convention his Majesty has agreed to. When the several Articles are particularly examined, and all Circumstances duly considered, we ought then to give our most sincere Opinion and Advice to his Majesty; and, from the View I have of our present Circumstances, and what I have heard or know of that Convention, I believe the Opinion of this House will be, that the concluding and ratifying the Convention was one of the wisest Measures his Majesty could take; and our Advice, I doubt not, will be, that his Majesty should proceed upon the Foundation laid by that Convention, and endeavour by peaceable Methods to put an End, by a definitive Treaty, to all the Disputes now subsisting between the two Nations.

I shall grant, Sir, that in order to examine thoroughly into the Nature of the Convention, and into the Circumstances of our Affairs both at home and abroad, it will be necessary for us to have a great many Papers laid before us. But in calling or addressing for Papers of any Kind, we ought at all Times to be extremely cautious, especially in calling for Papers relating to any Transaction which is not then finally concluded; for no Man will pretend to say, that it is consistent with good Politicks to lay Secrets of State, or Papers that contain any such Secrets, before such a numerous Assembly. If there were none present but such as have a Right to be here, perhaps the Dan-

ger might not be so great: A Secret of great Importance might, perhaps, remain a Secret, notwithstanding its being communicated to this House; because, I am persuaded, there is no Gentleman who has the Honour of having a Seat in this House, that would reveal any Thing he thought might tend to the Prejudice of his Country: But, as there is always a great Number of Persons present that have no Right to be here, some of them, perhaps, unknown to any Member of this House, we cannot suppose, that any of our Proceedings, or any Thing that has been once laid before us, can be kept secret from foreign Courts, especially from those whose Business it is to discover every Thing that passes amongst us.

Let us therefore consider, Sir, that by addressing for Papers relating to an Affair then under Negotiation between us and a foreign Court, we may lay his Majesty under a very great Difficulty: We may either lay him under the Necessity of refusing his Parliament what they ask for, which I am sure he would be loth to do, which he has never yet done; or we may lay him under the Necessity of divulging Secrets, which must necessarily disturb the Negotiation he is carrying on, if not entirely prevent its Effect. For this Reason, when we find ourselves obliged to take an Affair into our Consideration, before it is brought to a final Conclusion, I do not think it would be a bad Politick in this House, to lay it down as an established Maxim, never to address for any Papers upon such Occasions, but to leave it entirely to his Majesty, to order such Papers to be laid before us, as he might think necessary for giving us a proper Light into the Affair, and such as he knew might be safely communicated.

To apply what I have said to the Case

Case now before us: It must be allowed, Sir, that the Convention lately concluded with *Spain*, relates to an Affair not yet finally ended. It relates to an Affair now under Negotiation between the two Courts; for, I shall readily agree, that the Articles of the Convention can at best be called but a Sort of preliminary Articles, which are to be further explained and perfected by a definitive Treaty; and if a satisfactory Treaty may be obtained by peaceable Means, and in Consequence of these preliminary Articles, which no Man can say is impossible, it would be wrong in us to do any Thing, or to call for any Paper, which, by being made publick, might disappoint so good an Effect. Now, as this Convention was, as every preliminary Agreement must be, preceded by a Negotiation, some Things may have passed during that Negotiation, which the Court of *Spain* would not desire to be made publick, which they would even look on as a high Affront, in case they should be made publick. We know how jealous Princes are even of what is called the Punctilio of Honour, we know how jealous they must always be in this Respect; and therefore we must know, that it is always dangerous to publish the Transactions of a Negotiation till some Time after it has been concluded. While such Transactions remain secret, many Things may be said and done by both Parties without much Notice, which either Party would think himself in Honour obliged to resent in the highest Manner, in case they should be made publick. Therefore, with regard to those Memorials and Representations that have been sent to the Court of *Spain*, and must consequently be already known to that Court, it would not perhaps, at present, be very prudent to publish them; be-

cause it might alter the present good Humour which that Court seems to be in, and might render it impossible for us to obtain either Satisfaction, Reparation, or Security, any other Way but by Force of Arms.

This, I say, Sir, might be the Effect of publishing some of those Papers, which the Court of *Spain* has already seen; but with respect to those Papers they have not, nor can be supposed to have seen, such as the Instructions and Letters sent to our Minister in *Spain*, and Consuls in *Europe*, or any Commander in Chief, or Captains of his Majesty's Ships of War, it would certainly be extremely imprudent to publish them at present. As the Disputes between *Spain* and us, were come very near to an open Rupture, before their agreeing to this Convention, we do not know but that there were Instructions or Letters sent to the Commanders in Chief, or Captains of his Majesty's Ships of War, relating to some Design against some one Part or other of the *Spanish* Dominions, that was to have been executed, in case they had not agreed to the Terms proposed; and if there were any such Letters or Instructions sent, the communicating them to this House, and consequently making them known to the Court of *Spain*, might not only be the Cause of their breaking off all further Conferences with us, but at the same Time it would put them upon their Guard, and instruct them how to provide against any such Design for the future.

Then, Sir, with regard to the Instructions or Letters sent to our Minister in *Spain*, or Consuls in *Europe*, if we reflect upon what is usual in all Cases of Negotiation, we cannot so much as desire his Majesty to lay all such Letters and Instructions before us; for every one knows, that in all Negotiations there are private,

private, as well as publick Letters and Instructions, sent to those who are employed in carrying on the Negotiation: There are Letters or Instructions sent them, which they are to communicate to those, with whom they are negotiating; and by these, they are generally ordered to make high Demands, and few Concessions: But these Letters and Instructions, are generally qualified by others of a private Nature, which they are to conceal from those with whom they negotiate; and by these they are instructed to pass from some Demands, or make some Concessions, according to the Humour they find the Court in, to which they are sent, and according to the Propositions that may be made by that Court. In short, these private Letters and Instructions, generally contain the utmost their Court or Prince will do for the Sake of Peace; and to make such Letters or Instructions publick, before the Negotiation's being broke off, or concluded by a definitive Treaty, would be doing the greatest Injury to that Court and Nation, from which such Letters or Instructions had been sent.

This, I say, Sir, we know to be the Case, with regard to almost every Negotiation that has ever happened, or that can ever happen; therefore we must presume, that it is the Case with regard to those Instructions or Letters, that have been lately sent to our Ministers or Consuls in *Spain*; and as the Negotiation between us and the Court of *Spain*, is far from being concluded, as I hope, and every Gentleman as well as I, must wish, that it may not be broke off, till it is brought to a happy Conclusion; we cannot desire his Majesty to order all the Letters and Instructions, that have been lately sent to our Ministers or Consuls in *Spain*, to be laid before this House.

I shall grant, Sir, that in order to know how Matters stand at pre-

sent between us and *Spain*, the Causes of our present Disputes, and the Measures his Majesty has taken to put an End to them, it would be proper for us to see all the Papers that have been mentioned, and a great many more than have been now moved for. We cannot propose to acquire a full and perfect Knowledge of these Matters, and of the Circumstances of Affairs at home and abroad, without having a compleat Knowledge of all the Negotiations that have been lately carried on, or are now carrying on, not only between us and *Spain*, but between us, and every other Power in *Europe*; but this is a Knowledge, which every one must admit, his Majesty neither can, nor ought to communicate to Parliament. I have shewn, that the communicating all those Papers that are now moved for, might be of the most dangerous Consequence; and even the Hon. Gentleman himself who moved for those Papers, allows, that we ought not to desire all the Memorials, Representations, and Answers, received from the Court of *Spain*, to be laid before us; because our rendering the Contents of some of them publick, might put a Stop to our Negotiations, and make the Court of *Spain* refuse to treat any longer with us. Are not we, Sir, to apprehend the same Consequence, from our rendering publick the Memorials and Representations that have been made to the King of *Spain*, or his Ministers? For the Memorials and Representations that have been made by us, must relate to, and may probably recite a great Part, if not the whole Substance, of those we have received.

What are we then to do in such a Case, Sir? We cannot desire a full and perfect Knowledge of all such Affairs. We must content ourselves with such a Knowledge as may be safely communicated to us, without injuring the publick Affairs of the Na-

Nation: And we must leave it to his Majesty to judge, what may be safely communicated. We may depend upon his Goodness, and the Regard he has for his Parliament, that he will, upon this Occasion, communicate to us every Paper, and every Transaction, relating to the *Spanish* Depredations, that can be safely communicated: But his Wisdom, and the Regard he has for the Honour and Interest of his Kingdoms, must prevent his communicating to us any Thing that ought not, that cannot be safely made publick; and we ought not, by an unseasonable Address, to raise a Contest in his Royal Breast, between his Goodness and Wisdom, or between the Regard he has for his Parliament, and the Regard he has for the Honour and Interest of his Kingdoms.

The Resolutions we have already come to, I did not, 'tis true, oppose; but it was not, Sir, because I entirely approved of them. It was, because I did not see any Thing in them, but what his Majesty, I thought, might comply with: I did not apprehend that by any of them, there were Papers called for that might not be safely made publick: But with regard to the two last Resolutions, the Hon. Gentleman has been pleased to propose, the Case is very different. At first View I see, that by each of them there are Papers called for, which it may not be safe to make publick: Some of those Papers, I think, may probably be such, as would disclose the Secrets of our Government, or interrupt, if not put a full Stop to, the Course of our Negotiations: Therefore I must look upon the Addresses proposed by those Resolutions, to be of such a Nature, that there is the highest Probability of his Majesty's not being able to comply with them; and whilst I have the Honour to have a Seat in this

House, I shall always be ready to give my Testimony against our resolving to desire any Thing of his Majesty by an Address, which I think he cannot, consistently with the Honour of his Crown, or the Interest of his Kingdoms, fully comply with.

From what I have said, Sir, I hope every Gentleman will see, that there is a great Difference between the Addresses we have agreed to, and the two Addresses now proposed. By the former, we desire nothing of his Majesty, at least so far as we can comprehend, but what he may comply with, without promulgating the Secrets of his Government, or running the Risk of defeating those Negotiations he is carrying on, for securing the Trade and Navigation of his Kingdoms. By the latter we are to desire of his Majesty, what I think I have shewn, he cannot, in all probability, safely comply with. This is the proper Distinction between the Addresses we have agreed to, and the Addresses now proposed; and every Gentleman that makes this Distinction, may easily see a good Reason for his giving a Negative to the latter, notwithstanding his having given his Assent to the former; for all those who think there is any Thing desired by the Addresses now proposed, which his Majesty cannot safely comply with, must, I think, in Duty to their Sovereign, give their Negative to the Question.

I shall conclude with observing, Sir, that it would be highly imprudent in us at present, to present any Address that his Majesty could not fully comply with; for if foreign Courts, and particularly the Court of *Spain*, should be informed, that the Parliament had begun to present Addresses which the King could not comply with: If they should hear that his Majesty had, in the least Article, refused to comply with the

Request of his Parliament, they would immediately begin to presume, that a Breach was to ensue between King and Parliament: They would then begin to believe, that there is some Truth in what they have so often been told, by the Libels spread about in this Kingdom; that the People of this Kingdom are a divided People; that they are disaffected to their Sovereign; and that the Parliament have now begun to do, what they have often done, what I hope they will always do, when there is a just Occasion, which I am sure is far from being the Case at present; I mean, that the Parliament had begun to espouse the Cause of the People, against the King and his Ministers. This Presumption, Sir, would make not only the Court of *Spain*, but every Court we have any Difference with, less pliable, or more unreasonable than they are at present; and at the same Time, it would give the other Courts of *Europe* such a contemptible Opinion of us, as would of Course prevent their joining in any Alliance with us; by which Means, we would render it not only impracticable to obtain Satisfaction from the Court of *Spain* by fair Means, but impossible to obtain it by Force of Arms; and as this would be one of the most unfortunate Situations this Nation could be reduced to, I am sure every Gentleman that has a Regard for his native Country, and views the Question now before us in this Light, will join with me in putting the Negative upon it.

The only other Speech I shall give you upon this Subject, is that of M. Cato, who spoke in Substance thus.

*Mr. President,
S I R,*

I WISH his Majesty's Name were not so much made use of in this House, as it usually is. Some Gen-

tlemen seem to affect talking in his Majesty's Name, of every publick Measure that happens to be mentioned in this House, tho' they know that when we enquire into any publick Measure, or into the Management of any publick Transaction, we enquire into it, and we pass our Judgment upon it, as a Thing done, not by his Majesty, but by his Ministers. Therefore, I wish they would alter a little their Manner of talking, and instead of the Word Majesty, make use of the Word Ministers, or if they please, Minister. If they should say now, for Example, in the present Case, that we ought never to desire any Thing of the Minister, which we think he cannot safely comply with; it would be a more proper Manner of expressing themselves, and more conformable to the Rules of Proceeding in Parliament, than to say, that we ought never to desire any Thing of his Majesty, which we think he cannot safely comply with; and I must leave it to Gentlemen to consider, what Sort of a parliamentary Maxim it would be, to resolve, that when we find ourselves obliged, when the unfortunate State the Nation is in makes it necessary for us, to take an Affair into Consideration before it is finally concluded, we ought never to call for any Papers upon such an Occasion, but to leave it entirely to the Minister, to lay, or order such Papers to be laid before us, as he knew he might safely communicate to those whose Business it is to enquire into his Conduct. This, I confess, would be a Maxim extremely convenient for Ministers, and therefore I am not at all surprized to hear it come from the Corner from whence it does.

But, Sir, to be serious upon the Subject now before us; for considering the unfortunate Situation the Affairs not only of this Nation, but of *Europe*, are in at present, it is a Subject

Subject of as serious a Nature, as ever came before a *British* Parliament: I must observe, that when this House resolves to take any particular and extraordinary Affair into Consideration, it is impossible for his Majesty to know what Papers, or other Things may be necessary for giving us a proper Light into the Affair. His Ministers may perhaps know, but in former Ages, Ministers have been known to conceal industriously from their Sovereign, many Things they knew, and such as they ought in Duty to have acquainted him with; and therefore our Parliaments never trusted to the King's Ministers for giving him Information in this Particular. They considered themselves, the Affair which was to come before them, they considered what Papers, or other Things, would be necessary for giving them a proper Light into the Affair, and if those Papers were such as must be communicated by the Crown, they addressed his Majesty, that he would be pleased to give Directions for laying such or such Papers before them. It is therefore from the Addressee of this House only, that his Majesty can know what Papers may be necessary to be laid before us upon any such Occasion; and, when his Majesty sees what we address for, he may then judge, whether the Papers called for, or any of them, be such as ought not to be made publick.

I say, Sir, his Majesty may, upon seeing our Address, judge whether any of the Papers we call for be such as ought not to be made publick; but, suppose his Majesty judges that some of them are of such a Nature, this is no Reason for not laying them before Parliament, if they be such as either the House thinks necessary for giving them a proper Light into the Affair under their Consideration. Upon such Occasions, his Majesty may

order such Papers as contain no Secrets, to be laid before the House; and he may at the same Time acquaint them, that there are others which ought not to be made publick: In which Case, the House may, if it pleases, appoint a secret Committee, and desire that those Papers that ought not to be made publick, may be laid before their Committee; which Committee extracts from those Papers such Things only as are necessary for the Information of the House, with relation to the Affair then under Consideration, without mentioning or divulging any of those Things that ought to be kept secret. By this Means, Sir, the House may have full Information with respect to any Affair they are to pass Judgment upon, or give their Opinion of, without the least Danger of exposing the Secrets of the Government; for no Strangers are ever allowed to be present in any secret Committee, not even Members of the House unless they are of the Committee; and, I hope it will not be said, that there may not be found at all Times in this House, a Set of Gentlemen that are as capable of keeping a Secret, and as incapable of betraying the Secrets of their Country, as any of his Majesty's Ministers; nor do I think it would be any Reproach to our present Ministers, if I should say, that every Gentleman in this House has as great a Regard for his native Country, and as great a Concern for its Prosperity, as they have.

If the Hon. Gentleman's Maxim were to be admitted as an established Maxim for our Conduct in this House, we could never address for Papers relating to any publick Affair that had been transacted within the same Century; for there is no publick Affair but what may have, but what may probably have some Papers belonging to it that ought not

to be made publick. Even suppose the Affair we are to enquire into, were an Affair finally concluded, yet there may be Papers belonging to that Affair, if it be such a one as has lately happened, which relate to some Affairs then upon the Anvil, and which therefore ought not then to be made publick. At this Rate, Sir, we must always leave it entirely to his Majesty, that is to say, to his Majesty's Ministers, to lay no Papers before us but such as they think may be safely communicated to Parliament; in which Case, every one must see, that we could never enquire into the Conduct of any Minister, while he continues a Favourite of the Crown; for no Minister will ever think it safe to lay any Paper before Parliament, that may lay a Foundation for, or may any way support an Accusation against himself; and, upon this Maxim, he would always have an Excuse for not laying such Papers before Parliament, by saying, that they contain Secrets relating to some Affair in Agitation, which must not be discovered till that Affair is brought to a Conclusion.

This shews, Sir, how ridiculous it would be to establish such a Maxim, and therefore, I hope we shall continue to follow the antient Maxim of this House, which has always been, to call for all such Papers as we thought might contribute towards giving us a full and perfect Knowledge of the Affair we were to enquire into, without regarding whether or no the Papers we thought necessary for this Purpose were such as might probably contain some Secrets of State. If any of them are of such a Nature, we may appoint a secret Committee for examining into them, and reporting such Parts of them as are necessary for our Information; but, till his Majesty has acquainted us

that some of them are of such a Nature, we have no Occasion for appointing such a Committee. This therefore can be no Objection against our addressing for all or any of the Papers now proposed to be addressed for; but, for my own Part, I cannot so much as imagine, that there are any important Secrets, I mean such as the Honour or Interest of the Nation is concerned in keeping secret; I say, I cannot imagine, that there are any such in our late Negotiations with *Spain*, or in any of our late Transactions relating to the *Spanish* Depredations. I am sure they have made no Secret of the Claims they have lately set up against us, nor of the Insults they have put upon us; On the contrary, they seem to be fond of publishing them, that the World may know how contemptuously they have used us. I do not know but that there may be some Secrets that ought to be discovered, Secrets, in the discovering of which, both the Honour and Interest of the Nation may be deeply concerned; but this surely can be no Argument against our calling for Papers by which such a Discovery may be made; and, if any of the Papers now called for can be supposed to contain Secrets of such a Nature, it is a strong Argument for agreeing to the Motion; for, without such an Address, we can hardly expect to have them laid before us.

If a Presumption, that the Papers to be called for were such as ought not to be made publick, should be allowed to be an Objection of any Weight against the Resolutions now proposed, it must be allowed, Sir, that it was an Objection of equal Weight against every Resolution we have agreed to. If the Governors of our Plantations, or any Commander in Chief, or Captain of his Majesty's Ships of War, had any

any Instructions about a Design that was to have been executed against the *Spaniards*, in case they had not agreed to this Convention; may not we as reasonably suppose, that in some of the Letters received from them, those Instructions are referred to, or recited, as we can suppose that the Memorials, Representations, or Answers of the Court of *Spain*, are referred to, or recited, in those which we sent to that Court? And, if those Letters bear any such Reference or Recital, will not the laying them before this House discover our Designs to the *Spanish* Court, as much as if the Instructions themselves were laid before us? If our Negotiators at the Court of *Spain* had private as well as publick Instructions, must not the Letters received from them relate to their private as well as publick Instructions? And will not the laying those Letters before us, as much discover their private Instructions, as if those private Instructions themselves were laid before us? Therefore, if we were never to address for any Papers, but such as, we are certain, may be safely made publick, we ought not to have addressed for those Papers we have already resolved to address for; but this can be no Reason against our addressing for Papers of any Kind; There can be no Reason against our addressing for all Papers that are necessary for discovering to the Bottom any Affair we have resolved to enquire into, except that of the Risk some People may run by a sincere and thorough Enquiry.

As the late Convention with *Spain*, Sir, was intended, or ought to have been intended, for obtaining a proper Satisfaction for the Insults we have met with, full Reparation for the Losses our injured Merchants and Seamen have suffered, and effectual Security for our Trade and Navigation in Time to

come, it is impossible for us to form any right or mature Judgment of that Convention, without seeing all Papers that any way relate to the *Spanish* Depredations. Can we determine what may be thought a proper Satisfaction for the Insults we have met with, without knowing what those Insults are? Can we determine what may be thought a full Reparation for the Losses our Merchants and Seamen have sustained, without knowing what those Losses are? Or can we determine what may be thought an effectual Security for our Trade and Navigation in Time to come, without knowing all the Pretences the *Spaniards* have set up for disturbing them, and what Foundation they have for all or any of these Pretences? And, can we come at a sufficient Knowledge in either of these Respects, without perusing and examining all the Papers upon the Subject? Therefore, if we have a Mind to go to the Bottom of this Affair, which it is highly necessary we should, if we have a Mind to do any Thing more than read over, and blindly approve of this Convention, we must have laid before us all the Papers we have already resolved to address for, together with those now proposed to be addressed for; and, when we have seen them, we may from thence find it necessary to address for some others; but in order to judge of the Convention, it cannot be necessary for us to enquire into all the Negotiations we have lately had with every other Power in *Europe*.

Indeed, if upon Enquiry it should appear, that this Convention is both dishonourable and disadvantageous for this Nation: If it should appear, that we have thereby got no Satisfaction, nor so much as the Promise of Satisfaction for any one Insult that has been put upon us: If it should appear, that we have not

not got a full Reparation, nor so much as the Promise of a full Reparation, for the Losses our Merchants and Seamen have sustained: If it should appear, that we have got no Security, nor so much as the Promise of any Security, for our Trade and Navigation in Time to come; it would then, Sir, be incumbent upon us, to appoint a Day for resolving into a Committee to take the State of the Nation into our Consideration; and, in that Case, I shall grant, that it would be necessary for us to address his Majesty, that he would be pleased to give Directions for laying before a secret Committee to be appointed for that Purpose, a full and exact Account of all our late Negotiations; in order that we might have a full View of the Circumstances the Nation is in, not only with respect to its domestick Affairs, but also with respect to foreign Affairs. Without such a View, it would be impossible for this House to come to any proper Resolutions, or to give his Majesty any proper Advice. If the Nation has been brought into such Distress, as to be obliged to accept of such a dishonourable and disadvantageous Treaty, rather than attempt to vindicate our Honour and our Rights by Force of Arms, we cannot expect that those who brought us into such Distress will ever be able to relieve us. If any Relief be possible, it must come from Parliament; and it is not the first Time the Parliament has relieved this Nation from the utmost Distress. But, in such Cases, we must have a full View of our Affairs; we must not shew such a Complaisance for our Ministers, as to deny ourselves any necessary Information, for fear of bringing them into Difficulties.

From what I have said, Sir, I hope it will appear, that there is nothing in either of the Addresses

now proposed, but what his Majesty may comply with, but what he certainly will comply with. If there be any of the Papers now proposed to be called for, of such a Nature as ought to be kept extremely secret, his Majesty may tell us so, and we may then appoint a secret Committee for inspecting them, and reporting such Parts of them as may be safely communicated. This may perhaps be the Case, with regard to some of the Papers we have already resolved to address for: There is as great a Probability, that this may be the Case with regard to some of them, as there is of its being the Case with regard to some of the Papers now proposed to be addressed for; but if there were not, it would be no Reason for our not calling for a Sight of Papers that are absolutely necessary for our Information, in a Case that is to come before us, a Case in which both the Honour and Interest, I may say, the very Being of this Nation, make it necessary for us to be fully informed.

In all parliamentary Enquiries, Sir, the Sovereign of these Kingdoms can never be led by Motives founded upon the Honour of his Crown, or the Interest of his Kingdoms, to refuse his Parliament any Thing they think necessary for their Information, with respect to the Affair they have resolved to enquire into: He may be led so to do, by the Advice of bad Ministers, who never give him such Advice, but for the Sake of screening themselves from that national Vengeance that is ready to fall upon them. But his present Majesty has too much Wisdom and Goodness to follow any such pernicious Advice: He knows, that the following of such Advice, has sometimes proved fatal even to Crown itself; and has never as yet, thank God! long preserved the guilty Criminal. His Majesty's Goodness will in all Cases induce him to

give the utmost Satisfaction to his People, and from his Wisdom we must presume he knows, that in giving Satisfaction to his People, consists the Security of his Crown, and the Happiness of his Kingdoms.

Therefore, Sir, what his Majesty may, or may not, comply with, is a Question that cannot enter into the present Debate. The only Question that can enter into the present Debate is, what Papers may, or may not, be necessary for our Information, with regard to the Affair that is soon to come before us; for whatever Papers we may think necessary for that Purpose, his Majesty will, upon our Request, signified to him in the usual Manner, certainly order to be laid before us.

For this Reason, Sir, the only Question now under our Consideration is, Whether the Papers now proposed to be addressed for, are such as are necessary for giving us such a Light into the present Circumstances of our Affairs, with Regard to Spain, as may enable us to form a right Judgment of the Convention that is, I hope, soon to be laid before us? And with respect to this Question, Sir, the Hon. Gentleman who spoke first in this Debate, has fully shewn, That the Papers now proposed to be addressed for, are not only necessary, but more necessary upon the present Occasion, than the Papers we have already resolved to address for. Nay, it is a Question that seems not to be disputed, even by those who have spoke against the Resolutions now proposed; for they have grounded the Whole of their Reasoning upon a Supposition, that some of the Papers now proposed to be addressed for, may be such as ought not to be made publick; and as I have shewn that this can be no Argument against our addressing for them, I am persuaded every Gentleman who has a real Design that we should examine thoroughly into the

Nature of the Convention, that is to be laid before us, or that we should be able to form any Judgment of it, will be as ready to give his Assent to the Resolutions now proposed, as he was to give his Assent to those we have already agreed to.

As there is nothing, Sir, in either of the Resolutions proposed, but what his Majesty may comply with, as there is nothing but what he will certainly comply with, therefore, from our agreeing to these Resolutions, no foreign Court can presume, that a Breach is like to ensue between his Majesty and his Parliament; nor can they from thence be induced to believe, what the Hon. Gentleman says has been told them by some Libels lately published in this Kingdom. For my Part, I know of no such Libels: I do not know that it has been asserted in any Libel lately published, that the People of this Kingdom are generally disaffected to his Majesty and his Family. I am persuaded no such arrogant Lie has been asserted in any Libel lately published, unless it be in some of those lately published in Favour of keeping up numerous Armies in Time of Peace. But suppose such a Lie to have been published in some such Libel, I do not believe that foreign Courts are such minute Politicians as to build any Hopes upon, or give any Credit to what is asserted in such infamous Libels. They build upon a better Foundation, because they generally send such Ministers here, as can give them a true Information of the Disposition of the People; and from them they know, that the People are generally well affected towards his Majesty and his Family, however much they may be dissatisfied with some of his Majesty's Ministers.

This, thank God! Sir, is as yet the Disposition of our People. But if they should long continue under the

the Insults they have met with: If they should be long amused with tedious and fruitless Negotiations, or sham Treaties; and if they should find the Parliament supporting and applauding such Measures, God knows, where they may fly for Relief. They may then, indeed, become generally disaffected, as well as dissatisfied; and this perhaps is what some foreign Courts are driving at; but it is to be hoped they will, by the Wisdom and Integrity of this House, be disappointed in their Aim. If they are not, the most perfect Harmony between King and Parliament, would add but little Weight to our Negotiations at any foreign Court; for it is upon the Affections of the People, that the Weight and Credit of our Government must always depend.

From hence we may see, Sir, that we may happen to be in such Circumstances, that a Harmony between King and Parliament would be a Misfortune, instead of being a Blessing to the Nation; for, if our People should ever become generally dissatisfied with an Administration, the happiest Thing that could befall this Nation, would be the Parliament's espousing the Cause of the People, not against the King, but for the King, and against his Ministers; for, the Cause of the King and People must always be the same; but that Cause and the Cause of a Minister may often be different, may sometimes be in direct Opposition. Therefore, if this Nation should ever happen to be so unfortunate as to be under an Administration generally disliked by the People, the wisest Thing the Parliament could do, would be to advise, or even render it necessary for the King, to make a thorough Change, as to the Persons employed in the Administration. Such a Breach as this would be, upon such an Occasion, the only Means that could effectually restore the Influ-

ence and the Character of the Nation at all foreign Courts; because they would then expect to see, in this Nation, a new Set of Ministers, and new Measures. They would expect to see a Ministry chosen, and Measures concerted, by the Advice of a free and independent Parliament, and with the Approbation of a brave and a free People; and from such a Ministry; and such Measures, this Nation has always reaped great Honour, and great Advantage.

I shall conclude; Sir, with supposing the worst that can be supposed from our agreeing to these Resolutions: Suppose that his Majesty should be induced by bad Counsel to refuse so reasonable a Request in his Parliament. This, indeed, is hardly to be supposed; but, if it should unfortunately happen to be the Case, it would be a full Proof that there are some bad Counsellors about his Majesty, and this Discovery would be a great Advantage to the Nation; for it would then become our Business and our Duty to find out those bad Counsellors, and to remove them from his Majesty's Counsels. Could the removing of bad Counsellors from about the Person of our King, any way derogate from the Weight or Influence of his Negotiations at foreign Courts? No, Sir, it would give great Satisfaction to his whole People, and new Vigour to all his Counsels, and consequently would greatly add to the Weight of his Negotiations at every Court in Europe. So that in the worst Light in which we can put the Question now before us, we must allow; that our agreeing to it is not only necessary, but that it will be attended with great Advantages to his Majesty in particular, and to the Nation in general; and, as this plainly appears to be the Case, I therefore hope it will be unanimously agreed to.

THE

THE next Debate I shall give you an Account of, related likewise to the late famous Convention with *Spain*; and was occasioned by our having seen the several Petitions that were presented to Parliament against that Convention; for upon seeing them, a Question was started and debated in our Club, Whether the Petitioners ought to be admitted to be heard by their Counsel against that Convention?

But as your Readers may be curious to see the Petitions that were presented against this Convention, and as our Club is at the Expence of having Copies of all such Papers, I shall first give you the Substance of some of the most remarkable of these Petitions.

The first I shall give you, is that which was drawn up in the Name of, and signed by divers Merchants, Planters, and others, trading to and interested in the *British* Plantations in *America*, in Behalf of themselves and many others; setting forth, "That the Petitioners had last Session made their humble Application to Parliament, setting forth the continued Depredations committed by the *Spaniards* on the high Seas of *America*, upon the *British* Shipping and Property; their barbarous and inhuman Treatment of the *British* Sailors on the taking of their Ships, and their carrying them afterwards into Slavery in *Old Spain*, (the *Spaniards* making it their constant Practice to attack and board all *British* Merchant Ships they met with in the *American* Seas, under Pretence of searching for Goods, which they deemed contraband, according to their arbitrary Will and Pleasure, contrary to the Law of Nations, and in manifest Violation of the Treaties subsisting between the two Crowns) and that by these unjust and violent Proceedings of the *Spaniards*,

the Trade and Navigation to and from *America*, was rendered very unsafe and precarious, inasmuch that the Insurances had greatly risen on these Accounts only; and that the Petitioners having been heard by their Counsel, did, as they apprehend, fully make out in Proofs, every one of the Allegations of their said Petition, to the entire and unanimous Satisfaction of Parliament; upon which Application, the following Resolutions were agreed on, *viz.*" (Here the Petitioners recited the Resolutions of the preceding Session, for declaring the Rights of this Nation, * and for addressing his Majesty to use his Endeavours for the Preservation of those Rights; and then they went on as follows, *C viz.*)

"That a Convention had since been entered into between the Crowns of *Great Britain* and *Spain*, which his Majesty has been most graciously pleased to order to be laid before Parliament; and the same having been published by Authority, the Petitioners observe with the utmost Concern, that the *Spaniards* are so far from giving up their groundless and unjustifiable Practice of visiting and searching *British* Ships, sailing to and from the *British* Plantations, that they appear to have claimed the Power of doing it as a Right, by having insisted that the Differences which have arisen concerning it, should be referred to Plenipotentiaries, to be discussed by them, without even agreeing to abstain from such Visitation and Search, during the Time that the Discussion of this Affair may last; that the Petitioners are under the greatest Apprehensions, since *Spain* has contended, that a Point so incontestably clear, both by the Law of Nations, and all the Treaties subsisting between the two Crowns, should come under Debate that the *Spanish* Plenipotentiaries wi

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* See our Magazine for September last, p. 435, 436.

be instructed not to give it up; and that, if the Freedom of our Navigation and Commerce to and from our own Colonies should be left in Suspence, and in a precarious Situation, it must be attended with the most fatal and pernicious Consequences to the Petitioners, whose Persons and Fortunes will thereby be in the Power of the *Spanish Guarda Costa's*, without any Prospect of Relief, the Petitioners having already too severely experienced the Justice of the *Spanish* Courts and Governors, to consider them as any Security; and therefore praying, that the Petitioners may have an Opportunity of being heard, and that they may be allowed to represent to Parliament, the great Importance of our Trade to and from our own Plantations in *America*, the clear and indisputable Right which we have to enjoy it, without being stopp'd, visited, or searched by the *Spaniards*, on any Pretence whatsoever; and the certain and inevitable Destruction of all the Riches and Strength derived to this Kingdom from that Trade, if a Search of *British* Ships, sailing to and from the *British* Plantations, be tolerated upon any Pretext, or under any Restrictions or Limitations, or even if the Freedom of this Navigation should continue much longer in this State of Uncertainty."

At the same Time, we had a Copy of another Petition read to us, which was drawn up and presented in the Name and by Order of the Lord Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled; setting forth, "That the Citizens of *London* are too deeply interested in whatever affects the Trade of this Nation, not to express the utmost Anxiety for the Welfare of that only Source of our Riches; and it is with a Concern the Petitioners are unable to express, that they perceive the Trade to his Majesty's

American Colonies still continues exposed to the Insults of the *Spaniards*, who under unwarrantable and injurious Pretences, continue to stop, search, and make Prize of *British* Vessels, navigating the *American* Seas, in manifest Violation of the Treaties subsisting between the two Crowns; and that the Petitioners apprehend, that the Trade from these his Majesty's Kingdoms to his *American* Colonies is of the utmost Importance, and almost the only profitable Trade this Nation now enjoys unrivaled by others; and, that the Petitioners were induced to hope, from his Majesty's known Goodness and paternal Care of his Subjects, supported by the vigorous Resolutions of both Houses of Parliament, and the Equipment of a very powerful Fleet, that his Majesty's trading Subjects in the Seas of *America*, as well as in all other Parts of the Ocean, would not only have received a full Satisfaction for all their Losses, occasioned by the *Spanish* Depredations, but also an undoubted Security for their Navigation and Commerce in Time to come; and, that a reasonable and adequate Reparation would likewise have been obtained for the Barbarities and inhuman Cruelties exercised by that Nation on the *English* Seamen, who have had the Unhappiness of falling into their merciless Hands; and expressing their great Concern and Surprize to find, by the Convention lately concluded between his Majesty and the King of *Spain*, that the *Spaniards* are so far from giving up their, as the Petitioners apprehend, unjust Pretensions of a Right to visit and search our Ships in the open Seas of *America*, that this Pretension of theirs is amongst others referred to the future Regulation and Decision of Plenipotentiaries appointed on each Side, whereby the Petitioners apprehend it is in some Degree admitted;

mitted; and, that the Petitioners conceive they have too much Cause to fear, if the Right pretended to by *Spain*, of searching *British* Ships at Sea, be admitted in any Manner or Degree whatsoever, that the Trade of his Majesty's Subjects in *America* will become so precarious, as to depend in a great Measure upon the Indulgence and Justice of the *Spaniards*, of both which they have given, for some Years past, such Specimens, as the Petitioners think this Nation can have no Cause to be satisfied with; and expressing the Apprehensions of the Petitioners, that such a precarious Situation as this, must inevitably expose the Trade, in and to the *American* Seas, to continual Interruptions and Alarms, as well as to frequent Losses; and that to these unhappy Causes, the Petitioners apprehend the present low State of the *British* Colonies in *America* may, in a great Measure, be attributed; and that, if the cruel Treatment of the *English* Sailors, whose hard Fate has thrown them into the Hands of the *Spaniards*, should be put up without any Reparation, the Petitioners apprehend it may be the Means of deterring Seamen from undertaking Voyages to the Seas of *America*, without an Advance of Wages, which that Trade, or any other, will not be able to support; and, that the Petitioners therefore having laid before Parliament, the high Importance this Trade is of to the Kingdom in general, and this City in particular, thought it their indispensable Duty to represent to Parliament, the fatal Consequences of leaving the Freedom of our Navigation and Commerce any longer in Suspence and Uncertainty; and therefore expressing their Hope, that the Parliament will take it into mature Deliberation, and do therein, as shall seem meet."

There were many other Petitions

presented upon this Subject, particularly, from the Master, Wardens, Assistants, and Commonalty of the Society of Merchants Adventurers within the City of *Bristol*; from the Merchants trading from the Port of *Liverpoole* to his Majesty's Plantations in *America*; from the Merchant Company of the City of *Edinburgh*; from the Merchants of *Glasgow* trading to the *British* Plantations in *America*, &c. which being all much to the same Effect, it is not necessary to give the Substance of any more of them; and there were likewise Petitions presented from the Trustees of *Georgia*, and from the Owners of several Ships that had been seized and confiscated by the *Spaniards*, representing each their particular Case, and complaining of the Convention, which you, I know, cannot spare Room for; and therefore, I shall only observe, that as the Petition from the Merchants and Planters prayed to be heard upon several Articles set forth in their Petition, a Question was started and debated in our Club, Whether they should be admitted to be heard by their Counsel? In which Debate, the first that spoke in favour of the Question was *M. Valerius Corvus*, whose Speech was in Substance as follows, viz.

Mr. President,
S I R,

FROM the Number of Petitions that are now ready, or preparing to be presented to us, against our late Convention with *Spain*; from the Rank and Character of the several Petitioners; and from the Allegations set forth in the Petition that is now before us; we have great Reason, I think, to conclude, that our Convention is far from being such a one as it ought to be. From the great and considerable Bodies of Merchants, that

that have petitioned, or are preparing to petition against it, and from our seeing not so much as one Petition in its Favour, we must conclude, that the whole Body of our Merchants think it a most dishonourable, disadvantageous, and dangerous Treaty. On the other hand, Sir, we ought in Charity to believe, that our Ministers who negotiated this Convention, and our Ministers who advised his Majesty to ratify it, thought it either a good one, or at least, the best that our present Circumstances would permit us to insist on. Therefore, when this Convention comes to be examined in this House, we ought to consider ourselves as Judges in an Affair, in which the whole Body of our Merchants, Planters, and Sailors, are Plaintiffs, and our Ministers and Negotiators Defendants; and, in an Affair of such Importance, an Affair in which the Parties concerned are of so great Consequence, surely it will be allowed, that it behoves us not only to have the best Information, both as to Matters of Right and Matters of Fact, but also to have all the Proofs and Arguments that can be brought upon either Side of the Question, stated and laid before us in the most methodical, the fullest, and the clearest Light.

For this Reason, Sir, it is, I think, absolutely necessary for us, not only to refer this Petition to the Committee who are to consider of the Convention, which I am confident no Gentleman will oppose; but I likewise think it absolutely necessary, to allow the Petitioners to be heard before that Committee, either by themselves or Counsel, with regard to this Convention, which they so heavily, and, I am afraid, so reasonably complain of; and, if our Ministers and Negotiators have a Mind to justify their Proceedings, they may move, or

get one to move for them, that Counsel may at the same Time be heard in favour of this Child of theirs, which, like other monstrous Births, is in some Danger of being smothered upon its first Appearance in the World. As I have no intimate Correspondence with them, nor with any one of them, I cannot pretend to guess at what they may, in this Case, resolve on; but, as I have always had a good Correspondence with our Merchants and Planters, I may venture to say, that such of them as are now Supplicants at our Bar, will be glad of being admitted to be heard by their Counsel upon this Occasion; and will be far from grudging any Expence, that may be necessary for giving us a full and clear View of the important Affair that is soon to come before us: Therefore, I shall conclude what I am to say upon the present Occasion with a Motion to this Effect, That the Petition now presented to us be referred to the Consideration of the Committee of the whole House, who are to consider of the Convention between *Great Britain and Spain*, concluded at the *Pardo*, Jan. 14, 1739, N. S. and the separate Articles belonging thereunto, with the several Ratifications thereof; and, that the Petitioners, if they think fit, be heard upon their Petition, either by themselves or Counsel, before the said Committee.

This, Sir, I take to be so reasonable a Proposition, that I hope no Gentleman will oppose it: However, before I make my Motion, I shall beg Leave to observe, that in all Trials at Law, even in criminal Trials, where by the common Method of Proceeding, Counsel are not admitted to be heard, wherever a Point of Right or Law comes to be disputed, Counsel are always admitted to speak, as to such Points, for the better Information of the Judges;

es; and yet, I hope, I may be allowed to presume, that our Judges, especially of late Years, are as much Masters of the Laws of their Country, as the several Members of this House can be supposed to be of the Law of Nations, and of the several Rights and Privileges which are founded upon that Law, or upon the particular Treaties now subsisting between us and *Spain*. Therefore, when any such Right or Privilege comes to be disputed before us, there is at least as great a Necessity for admitting Counsel to be heard upon such Points for our Information, as there can be for admitting Counsel to be heard upon any Point of Law for the Information of our Judges.

If we attend, Sir, to the Petition now upon our Table, we shall from thence see, that when the Convention comes to be taken into Consideration, there are several Matters of Right that must be enquired into, and some of them may, perhaps, be disputed even by some Gentlemen in this House. We know that the *Spaniards* have lately pretended to a Right to visit and search *British* Ships, sailing to and from the *British* Plantations: This is a Right which, I believe, no Gentleman in this House will pretend to justify; however, as the *Spaniards* do pretend to justify it, or at least have exercised it, it is a Point of Right, which ought to be fully inquired into, before we can judge of the Convention. But there is another Point of Right or Law that will, I believe, be disputed even in this House, and that is, Whether this Right of Visiting and Searching our Ships in the open Seas, which the *Spaniards* lay Claim to, is not in some Degree admitted by us, by our agreeing to refer this Pretension of theirs to the future Regulation of Plenipotentiaries? For if there is the least Ground, even for the *Spaniards*

to alledge, that we have, by such Reference, in any Degree admitted of this Pretension, surely every Gentleman who has a Regard for the Honour and Happiness of his Country, will condemn a Treaty which gives the *Spaniards* any Ground to say so. And whether they may not from this Treaty have, or pretend to have, some Ground for saying so, is a Point of Right, which the Petitioners seem to apprehend, and which several Gentlemen in this House, as well as I, think we have Reason to apprehend, tho' our Apprehensions will certainly be said to be groundless, by all those who are Favourers of the Convention. But as this is a Point which will, and must be judged of by Foreigners as well as by us, we ought to have it fully argued, before we pass any Judgment upon it.

As this Point in particular, Sir, depends upon the Law of Nations, and upon the Construction that is usually put upon preliminary Articles or Conventions, we cannot suppose that the Petitioners are capable of giving us any Light into this Affair; and therefore, if it were but for the Sake of this Point only, we ought to allow them to be heard by their Counsel upon this Occasion. There may be other Points of Right, which ought to be enquired into: I believe there are several others, which we ought to insist on, as the undoubted Rights and Privileges of this Nation; and yet the general Reference contained in this Convention, may hereafter give *Spain* a Pretence to say, that even we ourselves admitted them to be such as were disputable. For this Reason, Sir, before we pass any Judgment in an Affair of so great Consequence to the Honour, Trade, and Navigation of this Kingdom, we ought strictly to examine into the Import and Meaning of those Words in the first Article, by which it is agreed, That

* That the Plenipotentiaries respectively named by their *Britannick* and *Catholick* Majesties, shall confer, and finally regulate the respective Pretensions of the two Crowns, as well with relation to the Trade and Navigation in *America* and *Europe*, and to the Limits of *Florida* and of *Carolina*, as concerning other Points, which remain likewise to be adjusted.' I say, Sir, we ought strictly to examine into the Import and Meaning of this unlimited Reference, before we pass any Judgment; and as the Import and Meaning of these Words must entirely depend upon the Law of Nations, and the Nature of preliminary Conventions, we cannot expect full Satisfaction, as to this Point, from the Petitioners; we can no Way expect full Satisfaction, but by hearing learned Gentlemen argue upon it, who have made such Points their particular Study.

I believe, Sir, it will be admitted by every Gentleman, both within Doors and without, that a definitive Treaty, containing a full and express Acknowledgment of all our Rights and Privileges, would have been much better than this preliminary Convention: Considering the vigorous Resolutions of both Houses of Parliament last Session, considering the Spirit which at present prevails among all Ranks and Degrees of Men in this Kingdom, and considering the great Expence the Nation was put to last Summer, I believe it was what most Men expected: Yet notwithstanding, if none of our undoubted Rights or Privileges are rendered doubtful, or any Way invalidated, by this preparatory Way of Treating, we may excuse our Negotiators for agreeing to such Preliminaries for the Sake of Peace, provided it appears, they had good Reason to hope that those Preliminaries would be soon followed by a sincere and satisfactory Treaty; but,

I hope, Sir, this Nation is not yet brought so low, nor are we so fond of Peace, as to give up any of our Rights, or agree to any Thing, for present Ease, that may lay a Foundation for contesting some of our most valuable Rights in Time to come. Such an unlucky Situation, I hope, I am convinced, the Nation is not yet reduced to, whatever some Gentlemen may be, who perhaps consider their own immediate Ease, more than they consider either the Honour, or the Interest of their Country.

But suppose, Sir, there were no Matters of Law or Right to be explained to us, suppose it were no Way necessary to have the Law of Nations, or the Nature of preliminary Conventions explained to us, yet the Facts that are to be laid before us upon the present Occasion, are so numerous, and of such various Kinds, that it is not possible to have them methodically and regularly summed up, without the Assistance of Counsel. We must see that it will be necessary for us, to examine a great many Witnesses, with regard to those Depredations that have been committed by the *Spaniards*, both before and since the Treaty of *Seville*; with regard to the Importance of our Trade to and from our Plantations in *America*; with regard to the Dangers that Trade may be exposed to, if a Search of *British* Ships, sailing to and from the *British* Plantations, should be tolerated upon any Pretext, or under any Restrictions; and with regard to several other Points I could mention: Every one of these Witnesses may be able to give us an Account of some of the Facts he knows; but from daily Experience we may suppose, that even those Accounts will be but lamely and indistinctly given, unless we have Counsel at our Bar, who know how to put the proper Questions to them; and

and when all the Witnesses have been examined, we cannot suppose that any of the Petitioners will be able to sum up the Evidence, to digest all their Testimonies under their proper Heads, and to make such Remarks upon each Point of Evidence, as may be necessary for putting it in the clearest and strongest Light; for when a Subject is very copious, and a great many Facts of divers Kinds to be related, it is not possible for any Gentleman, not exercised in the Art of Speaking, or not accustomed to speak before a numerous Assembly, let his Qualifications otherwise be never so great, to give a regular, distinct, and full Account of the Whole.

From what I have said, Sir, I think it must appear, that it will be extremely proper for us, to have the Assistance of Counsel upon this important Occasion. Nay, it is what, I think, those Gentlemen must be fond of, who are the greatest Friends to the Convention; for if it any Way deserves those high Encomiums that have been made upon it, by some Gentlemen without Doors, the more clearly, the more distinctly, and the more fully, this whole Affair is laid before the House, the more we shall be sensible of the great Honour and Advantage the Nation may reap by this preliminary Treaty; the more easy will it be for them to answer any Objection that may be made against it: For this Reason, I cannot suppose, that the Motion I am to make will meet with any Opposition; and therefore I shall add no more, but conclude with moving, That the Petitioners may be heard by themselves or Counsel, as I have before mentioned.

The next Speech I shall give you upon this Question, was that made by Servilius Priscus, who spoke to this Effect, viz.

Mr. President,

S I R,

ALTHO' I am as fond as any Gentleman in this House can be, of receiving all possible Information relating to the Convention we have lately concluded with *Spain*, tho' I shall be glad to have that Information laid before us in the most full and methodical Manner, yet, I cannot altogether approve of what the Hon. Gentleman has been pleased to propose. And, indeed, it is because I am for having all proper Information relating to that Affair, and for having that Information laid before us in the most natural, clear, and succinct Manner, that I shall be against agreeing to some Part of his Proposition. I shall willingly concur with him, in ordering the Petition now presented to us, to be referred to the Committee who are to consider of the Convention: I shall likewise concur with him, in allowing the Petitioners to be heard by themselves before that Committee; but, I cannot concur with him, in giving them leave to be heard by themselves or Counsel; because, in the Case now before us, I do not think it proper to admit either those who have already petitioned, or any of those who may hereafter petition, to be heard by Counsel; and, my Reasons for being of this Opinion, I must beg leave to lay before you.

I have a great Respect, Sir, for the learned Gentlemen of the Law, and shall always be glad to hear them hold forth at our Bar upon every proper Occasion; but I hope they will excuse me if I say, that I do not think their Manner of stating a Case, or relating Facts, the most natural: I hope they will pardon me, even if I should say, that it may sometimes serve to confound, instead of instructing their Hearers. Nay, as it is the Custom among them to be ready to take

a Fee upon either Side of any Question, that may occur either in this House or any other Court of Judicature, they must make it their Business to learn how to dress up a bad Cause in such fine Trappings, as to make it pass for a good one. Therefore, in Cases where no Matter of private Right or Property is to be disputed, I shall always be against exposing myself, or any other Gentleman in this House, to the Danger of being confounded or imposed on by Flowers of Oratory, or by an artful Manner of stating the Case, either on the one Side or the other; because, I can say, for my own Part at least, that I am afraid, lest I should, by such Means, be persuaded to think that a good Cause which is really a bad one, or that a bad Cause which is really a good one; and my Fears, in this Respect, always encrease in Proportion to the Importance of the Case, in which I am to give my Judgment.

After having thus shewn, Sir, the Danger of admitting Counsel to be heard before us, in any Case where it is not absolutely necessary, I must observe, that with regard to Facts, we can, in no Case, suppose that Counsel can give us any Information, but such as they are instructed to give by those that employ them. In the present Case, it is the Petitioners that must instruct them what Facts they are to insist on, what Witnesses they are to call for proving those Facts, and what may be the proper Questions to be put to each Witness; and, if we suppose the Petitioners capable of instructing their Counsel in all these Particulars, we must suppose them capable, by themselves, of instructing this House, and of giving us all the Information, as to Facts, that we could expect from their Counsel. I say, we must not only suppose them capable of doing it, but I am

convinced they will do it in a more natural and succinct Manner, than the learned Barristers usually do. Facts, Sir, are plain Things, they may be disguised, but they cannot be cleared up by Eloquence; therefore, in all Cases where nothing but Facts are to be enquired into, the more numerous the Assembly is that is to judge of them, the more Danger there is in allowing them to be stated or summed up by those whose Profession it is to be eloquent; and, for this Reason, I think, we ought, in the present Case, to have all those Facts, that may be necessary to be laid before us, stated in the most plain and natural Dress, which we may expect from the Petitioners themselves, but cannot from their Counsel.

Then, Sir, as to Points of Right or Law, I do not think it possible that any such can arise with regard to the Convention. As to those the Hon. Gentleman has been pleased to mention, I do not think that any one of them will be disputed in this House. Surely, no Gentleman in this House will say, that the *Spaniards* have a Right to search any *British* Ship upon the High Seas: Nor do I believe that any Gentleman in this House will deny the Importance of our Plantation Trade, or that it will be exposed to great Dangers and Inconveniencies, in case the *Spaniards* should be allowed to search our Ships sailing on the High Seas, upon any Pretext, or under any Restrictions. And, as to the Point, whether we can be supposed to have admitted, in any Degree, of such a Search, by referring all Matters in Dispute between the two Nations to be regulated by Plenipotentiaries? It is a Point, in which, I think, there can be no Question: I am sure no Gentleman in this House will say, that from such a Reference any such Thing can be supposed. If a Man should claim

claim 1000*l.* of me, may not I submit to hear his Reasons, and examine his Vouchers, tho' I know I owe him nothing? Does this Submission shew any Acknowledgment in me, that that Sum, or any other Sum, is really due? So far otherwise, Sir, that I should think myself bound in Charity to confer with him upon the Subject, to the End that I might have an Opportunity to convince him of the Unreasonableness of his Demand, or Falseness of his Vouchers, and thereby prevent his being induced to ruin himself, by commencing an unjust Law-Suit against me. This, I say, I should think myself bound in Charity to do, especially if that Neighbour and I were in such Circumstances as made it our mutual Interest to cultivate a mutual Friendship; and, that this is the Case between *Spain* and us, I believe no Gentleman will deny. This, Sir, is all we have done, with regard to the present Disputes between *Spain* and us: We have agreed to hear what they have to say, for no other End but to convince them that there is not the least Foundation for the Claims they have lately set up; and this we have done out of Charity to them, as well as out of Regard to our own Interest, in order to prevent an open Rupture between two Nations, whose mutual Interest it is to live in mutual Friendship. By the Reference we have agreed to, we cannot be supposed to have given up, or in the least invalidated, any of our Rights or Privileges. We cannot be supposed to have admitted, in any Degree, of any of their Claims: At least no such Supposition can be made by any, but those who have a Mind to suppose so, only for the Sake of finding Fault with the Convention.

This Nation, thank God! Sir, is far from being in any unfortunate Situation. I hope it never will be

reduced to the fatal Necessity of giving up any of its valuable Rights or Privileges, for the Sake of Peace. I hope no Man has any Influence in his Majesty's Counsels, that for any selfish Consideration would advise him to do so. I am sure his Majesty would reject such Advice with the utmost Disdain; and therefore, no Man, if he were wicked enough, will be bold enough, to give it. But there are some Persons in the Nation, tho' none in this House, who are Enemies to his Majesty and his Family; and as such Persons place all their Hopes in Insurrections and Invasions, they endeavour to make the World believe, that this Nation is reduced to the lowest and most contemptible Condition, by which, they hope to serve a double Purpose; for, at the same Time, that it contributes towards rendering our own People disaffected, they think it will encourage Foreigners to invade us, or to provoke us to War, by refusing to do us Justice. This may have some Effect upon some ignorant and unthinking People, but no Man of Sense can be so imposed on; and it is now, I hope it will always be, in our Power, as soon as we think it necessary, to make our Enemies sensible, that our Forbearance proceeded from our Wisdom, and not from our Weakness or Pusillanimity.

From what I have said, Sir, it will appear, that none of those Points of Right that have been mentioned, can come to be disputed in this House; and surely, we have no Occasion to hear Counsel, as to Points of Right which no Man will contest. But now, suppose they were all to be contested, even in that Case, we could have no Occasion to take up our Time with hearing Counsel. All the Points that have been mentioned, and all the Points of Right that can come

before us upon the present Occasion, are of a publick Nature; and, with respect to Matters of publick Right, there are many Gentlemen in this House, that understand them better, and can explain them more fully and clearly, than any Lawyer, whose Time is chiefly employed in studying the municipal Laws of his Country. I believe there is not a Gentleman in this House but would chuse, I am sure I would chuse, to hear the Hon. Gentleman himself upon such a Subject, rather than any Lawyer in the Kingdom. It is in Matters of private Right or Property only, where the hearing of Counsel can be of any Advantage to us; because, as such Matters are generally more perplexed than Matters of a publick Concern, Gentlemen who do not make it their particular Study, cannot be supposed to know all the Laws and Customs that may relate to them, or the Precedents by which they ought to be regulated.

In such Cases, Sir, in all Cases where the private Right or Property of any Man in the Kingdom is to be affected, by any Thing that is to pass in this House, I know it is usual to admit the Petitioners to be heard by their Counsel; but I know no Instance where Counsel have been admitted, in any Case, where national Rights or Privileges only could be said to be affected. I am far from thinking that any national Right or Privilege can be in the least affected, by our late Convention with *Spain*; but, if this were the Case, I think it would be a bad Precedent to admit Counsel to be heard upon such an Occasion. I know the Subject has a Right to petition, even upon such Occasions: I shall always be, not only for preserving that Right, but for encouraging the Practice. But, in all Cases, we have a Right to hear them or not, as we see Cause; and,

in Matters of a publick Concern, we seldom hear them even by themselves. In Money Bills we never do: In such Bills it is almost a general Rule, not so much as to receive Petitions against such Bills; and it would be extremely inconvenient to introduce the Practice of hearing Counsel, in Cases of a publick Nature. If such a Practice should become frequent, our Sessions of Parliament would become not only annual, but continual. We would be obliged to sit from one Year's End to the other; in which Case, it would become necessary to revive the antient Custom of paying Wages to our Parliament Men; and, as Money is now of much less Value than it was when that Custom prevailed, it would likewise become necessary to encrease those Wages, which would be a new and a heavy Charge upon all the Counties, Cities, and Boroughs in the Kingdom.

Whoever therefore may be the Parties, Plaintiff and Defendant, when we come to take this Convention into our Consideration, it must, I think, Sir, appear to be a Precedent of a very dangerous Nature, to admit the Petitioners against it, to be heard by their Counsel. For my own Part, I am far from thinking, that the whole Body of our Merchants, Planters, and Seamen, will appear as Plaintiffs against it. What Means may have been used for spiriting up Petitions against it, I shall not pretend to determine; but, I believe, if any Means had been made use of for spiriting up Petitions in its Favour, we should have had as many Petitions of the one Side as of the other; for, I cannot but think, that the greatest Part of our Merchants, Planters, and Seamen, will always be for preserving Peace, if possible. And as to those who were concerned in negotiating this Treaty, I believe they think it stands in

no Need of Counsel for its Justification: I believe, they think it will speak sufficiently for itself; therefore, I believe, they will not desire to have it recommended by the Arts of Eloquence; and, as I think the admitting of Counsel to be heard against it, is not only unnecessary, but in several Respects dangerous: As I think it would be taking up a great Deal of our Time to very little Purpose; I shall therefore conclude, with moving for an Amendment to the Hon. Gentleman's Motion; which is, That the Word, *either*, and the Words, *or Counsel*, may be left out of the Question.

[The rest of this DEBATE, and this JOURNAL to be continued in our next.]

To the Author of the LONDON MAGAZINE.

SIR,

AS one Extream is apt to make Way for another, I have often thought, since the Rise of the Methodists, that the Enthusiasm with which they appear to be acted, was in a great Measure owing to the prevailing Degeneracy, Corruption, and Irreligion of the present Times. Tho' all Extreams are unreasonable, yet Men are apt to dwell only upon the Absurdity of that Extream, to which they have a present Aversion, which makes them see that Absurdity in a glaring Light; and this, without great Care, will throw them into the opposite Extream. Thus Men have often gone from the Extream of Infidelity and Immorality, into that of Superstition and Enthusiasm; and from Superstition and Enthusiasm, into Infidelity and Immorality: And as Irreligion in some Men, has occasioned Enthusiasm and Bigottry in others; so Enthusiasm and Bigottry in some, have thrown others into the contrary Extream, of a Neglect and Contempt of all Religion: And these two Extreams have almost divided the World between them. This must give the wise and discerning Few, who consider Things calmly, without Passion or Prepossession, a great deal of Concern. As both the Extreams I have mention'd are very pernicious to Mankind, and have occasioned the greatest Mischiefs to Society, they cannot be too much guarded against; that true, genuine Religion, the great Friend to Society, may be preserved by us:

And those Pieces, which are calculated to guard Men against both or either of these Extreams, equally destructive to true Religion, deserve well of the Publick. Among these we must reckon the Bishop of London's late *Pastoral Letter*, against *Luke-warmness* on the one Hand, and *Enthusiasm* on the other; of which, as it seems to me to be wrote with a truly Christian Spirit, I should be glad if you would give an Extract, especially of the latter Part of it, in your next *Magazine*, in order to the making it as publick as possible. I am,

Sir, Yours, &c.

We shall the rather comply with our Correspondent's Request, as that Part of the Bishop's Letter contains an Abstract of Mr. Whitefield's Journals, and so will serve to give our Readers a farther Account of the Spirit of Methodism. (See p. 340, &c.)

EXTRACT from the second Part of the Bishop of London's PASTORAL LETTER to the People of his Diocese, being a Caution against ENTHUSIASM.

THE other Extream, (says his Lordship) into which some serious and well-meaning Christians are apt to be led, is ENTHUSIASM, or a strong Persuasion on the Mind, that they are guided in an extraordinary Manner, by immediate Impulses and Impressions of the Spirit of God. And this is owing chiefly to the Want of distinguishing aright between the ordinary and extraordinary Operations of the Holy Spirit.

The extraordinary Operations were those, by which the Apostles and others, who were entrusted with the first Propagation of the Gospel, were enabled to work Miracles, and speak with Tongues, in Testimony that their Mission and Doctrine were from God. But these have long since ceased; and the ordinary Gifts and Influences of the Spirit, which still continue, are convey'd in a different Manner, and for Ends and Uses of a more private Nature; and, however real and certain in themselves, are no otherw^e discernible than by their Fruits and Effects, as these appear in the Lives of Christians.

We are firmly persuaded in general, that we live under the gracious Influence of the Holy Spirit, and that he both excites and enables us to do good. But that this or that Thought or Action is an Effect of the sole Motion or immediate Impulse of the Spirit without any Co-operation of our own Mind; or that the Holy Spirit, and our natural Conceptions, do respectively contribute to this or that Thought or Action, in such a Measure, or to such a Degree; these are Things we dare not say; both because our Saviour has told us, that we know no more of the Workings of the Spirit, than we know of the Wind, from whence it

cometh, and whither it goeth, and because we clearly see, that all Pretences to that Knowledge, unless accompanied with the proper Evidences of a divine Inspiration, would open a Door to endless Enthusiasm and Delusion.

God forbid, that in this profane and degenerate Age, every Thing that has an *Appearance* of Piety and Devotion, should not be considered in the most favourable Light that it is capable of. But at the same Time, it is surely very proper that Men should be called upon for some reasonable Evidences of a *divine Commission*,

I. When they tell us of extraordinary *Communications* they have with God, and more than ordinary Assurances of a special *Presence* with them.

This Day, I intended to stay on board to write Letters, but God being pleased to *shew* me it was not his Will, I went on Shoar again. Mr. *Whitefield's Journal* I. p. 3.

Had much of the *Presence* of God with me. *Ibid.* p. 18.

Had much of God with me to Day. *Ib.* p. 28.

I told the People that God *called* me, and I must away—Intended to preach at Fort Simons, &c. but, Lord, thou *callest* me elsewhere. *Journ.* II. p. 9.

God having *shewn* both me and my Friends, that it was his *Will* I should return for a While to England—I preached my Farewel Sermon. *Ibid.* p. 11.

The Kingdom of God is *within* me. *Journ.* III. p. 4.

My Opposers, would they but speak, cannot but confess that God is *with* me of a Truth. *Ibid.* p. 18.

See ye not, ye Opposers, how you prevail nothing? Why do you not believe that it would not be thus, unless God was *with* me? *Ibid.* p. 33.

It is remarkable, that we have not had such a continued *Presence* of God among us, as we have had since I was threatened to be excommunicated. *Ibid.* p. 35.

Observing, Providence *called* me this Morning, I went with some Christian Friends to Bath. *Ibid.* p. 37.

Our Master being *with* us, I preached with Power. *Ibid.* p. 58.

II. When they talk in the Language of those, who have a special and immediate *Mission* from God.

Was soon convinced, that God has *sent* me *either* of a Truth. *Journal* I. p. 5.

The Eternal Almighty I AM, hath *sent* me, and will, no doubt, protect me. *Ib.* p. 32.

This I know; what I have spoken *from* God, will come to pass, (so! it will come) and then shall Scoffers and Despisers know that a *Minister of Christ* hath been amongst them. *Journ.* II. p. 19.

Lord, open thou their Eyes, that they may see that this is thy *Doing*. *Journ.* III. p. 33.

Now know I more and more, that the Lord *calls* me into the Fields; for no House or Street is able to contain half the People that come to hear the Word. *Ibid.* p. 90.

The Weather continued mighty fair, while I was delivering my *Master's* Message. *Ibid.* p. 95.

A Nothing confirms me more in my Opinion that God *intends* to *work* a great Work upon the Earth, than to find how his Children of all Denominations every where wrestle in Prayer for me. *Ibid.* p. 107.

III. When they profess to think and act under the immediate Guidance of a *Divine Inspiration*.

B Made a farewell Exhortation, as God *gave* me Utterance. *Journ.* I. p. 13.

God *assisted* me to talk clearly of the New-birth and Justification by Faith alone, with one that opposed it. *Journ.* III. p. 8.

The Spirit of Supplication *increases* in my Heart daily. *Ibid.* p. 6.

I spoke with the *Demonstration* of the Spirit. *Ibid.* p. 13.

C Was *filled with* the Holy Ghost; which very much strengthen'd my Body, and made my Feet like Hart's Feet. *Ibid.*

Expounded with such *Demonstration* of the Spirit, as I never spoke with before. *Ib.* p. 14.

God has given me a *double Portion* of his Spirit indeed. *Ibid.* p. 15.

D I fear I should *quench* the Spirit, did I not go on to speak as he gives me Utterance. *Ibid.* p. 17.

God enabled me to speak with such *irrefragible Power*, that the Opposers were quite struck dumb and confounded. *Ibid.* p. 24.

Felt the *Spirit of God* working in me mightily. *Ibid.*

Finding myself *strengthen'd from above*, I went and expounded. *Ibid.* p. 40.

E Blessed be God, I find myself much *refreshed in Spirit*, and a new Supply of Strength given me. Thus shall it be done to the Man whom God delighteth to honour. *Ibid.* p. 41.

My Heart was *full of God*, and I spake as one having *Authority*. *Ibid.* p. 108.

IV. When they speak of their Preaching and Expounding, and the Effects of them, as the sole Work of a *divine Power*.

F I had a great Hoarseness upon me; but notwithstanding, God enabled me to speak *with Power*. *Journ.* I. p. 12.

God's *Holy Spirit* seem'd to be moving on the Faces of some of the Souls in the Ship. *Ibid.* p. 21.

Was enabled to read Prayers and preach *with Power*. *Journ.* II. p. 6, &c.

G God hath been pleased to set his Seal to my Ministry, in a Manner I could not, I dur'd not, to expect, in America. *Journ.* III. p. 29, &c.

Preach'd and expounded with great Power

and Enlargement—with great Power and Demonstration of the Spirit. Ibid. p. 3.

Was told, my Preaching was attended with uncommon Power. Ibid. p. 16.

I expounded at the Savoy.—There, I think, I have commonly had more Power given me, than at any other Place. Ibid. p. 42.

I think, I never spoke with greater Freedom and Power. Ibid. p. 50.

Had extraordinary Power given me at the Society in Nicholas street. Ibid. p. 53.

Preach'd with uncommon Power. Ib. p. 54.

Extraordinary Power at Poor-house this Afternoon. Ibid. p. 55.

Preach'd with such Power and Demonstration of the Spirit, as I never saw before. Ibid. p. 87.

The Word came with Power. Ib. p. 90.

The Word of God came with such Power, that all, I believe, were pleasingly surprized. Ibid. p. 92.

I believe few, if any, were able to resist the Power, wherewith God enabled me to speak. Ibid. p. 102.

At Kennington-Common we had extraordinary Presence of God among us. Ibid. p. 109.

People were so melted down on every Side, that the greatest Scoffer must have own'd, that this was the Finger of God. Ibid. p. 110.

V. When they boast of sudden and surprising Effects as wrought by the Holy Ghost, in Consequence of their Preaching.

The young Man's Convictions were strong, and as far as I could find, a thorough Renovation begun in his Heart. Journ. I. p. 23.

The Holy Ghost powerfully work'd upon my Hearers. Journ. III. p. 6.

I expound near St. James's-square; where one young Woman was lately fill'd with the Holy Ghost. Ibid. p. 42.

Five Days a Woman travail'd and groan'd, being in Bondage.—On Thursday Evening, our Lord got himself the Victory; and, from that Moment, she has been full of Love and Joy. It is to be observed, her Friends have accounted her mad these three Years, and accordingly have bled, blistered her, and what not. Ibid. p. 43.

We have Reason to think, that four, within this Fortnight, have been born of God. Ibid. p. 43.

Heard of one that had received the Holy Ghost, immediately upon my preaching Christ. Ibid. p. 72.

VI. When they claim the Spirit of Prophecy.

This I know, what I have spoken from God, will come to pass. Journ. II. p. 19.

There certainly will be a Fulfilling of those Things, which God by his Spirit hath spoken unto my Soul. Ibid. p. 35.

God will make his Power to be known in me. Journ. III. p. 3.

And yet I shall see greater Things than these. Ibid. p. 16.

There are many Promises to be fulfilled in me, many Souls to be called, many Sufferings to be endured, before I go hence. Ibid. p. 24.

We dined with several Christian Friends with the kind Keeper of the Prison, and rejoiced exceedingly at the Thoughts, that we should, one Day or other, sing together in such a Place as Paul and Silas did. God prepare us for that Hour, for I believe it will come. Ibid. p. 35.

Yet a little While, and a suffering Time will come. I cannot follow him now, but I shall follow him afterwards. Ibid. p. 90.

Knowing not, what will befall me; saving that the Holy Ghost witnesseth in every Place, that Labours, Afflictions, and Trials of all Kinds abide me. Ibid. p. 113.

VII. When they speak of themselves, in the Language, and under the Character, of Apostles of Christ, and even of Christ himself.

To preach the Gospel at Frederica also; for therefore am I sent. Journ. II. p. 7.

It came to pass, that when Jesus was returned, the People gladly received him.—These last Words were remarkably press'd upon me, at Savannah, when I was consulting God by Prayer, whether it was his Will that I should go to England. Ibid. p. 18.

Howbeit, we must be cast upon a certain Island. Behold, the Words are now fulfilled! Ibid. p. 28.

D When I am weak, then am I strong. Journ. III. p. 3.

We speak what we do know, &c. Ib. p. 15.

I must go into every Place and City where I have been already; for therefore am I sent. Ibid. p. 20.

The Time will come, when they shall thrust you out of their Synagogues. Ib. p. 20.

E Had another come in his own Name, him they would have received. Ibid. p. 29.

I really believe no less than 20,000 were present. Blessed are the Eyes which see the Things which we see. Ibid. p. 55.

Mr. Wesley is left behind at Bristol, to teach the Way of God more perfectly. Ib. p. 65.

VIII. When they profess to plant and propagate a new Gospel, as unknown to the Generality of Ministers and People, in a Christian Country.

At Cardiff—I offered Jesus Christ freely even to them who mock'd, and should have rejoiced if they would have accepted of him. Journ. III. p. 47.

I could have heartily wished, all such Scoffers had been present, that I might have offer'd them Salvation thro' Jesus Christ. Ibid. p. 50.

I think, Wales is excellently well prepared for the Gospel of Christ. Ibid. p. 51.

There is a most comfortable Prospect of spreading the Gospel in Wales. Ibid.

Receiv'd

Receiv'd News of the wonderful Progress of the Gospel in *Yorkshire*, under the Ministry of my dear Brother *Ingham*. Ibid. p. 52.

Upon his Departure—The good Lord send somebody amongst them, to water what his own right Hand hath planted. Ibid. p. 60.

Well may the Devil and his Angels rage horribly; their Kingdom is in Danger. Ib. 61.

Blessed be God, there is one coming after me, [*Mr. John Wesley*] who, I hope, will cherish the Spark of divine Love new kindled in their Hearts. Ibid. p. 64.

I was refresh'd by a great Packet of Letters, giving me an Account of the Success of the Gospel, in different Parts. Ibid. p. 73.

A most comfortable Packet of Letters, giving me an Account of the Success of the Gospel. Ibid. p. 78.

If you ask, with what View, or for what End, I have taken the Pains to extract the foregoing Passages, and to range them thus under the proper Heads; it is, that you may be able to make a Judgment for yourselves, whether Persons who assume such a Character and speak in such a Language, ought not to give Proof of an extraordinary Commission from God; and if they do not, whether the Part they act, and the Language they use, can be called by any other Name, than that of *Enthusiasm*?

If it be alledg'd in their Favour, That they are good Men, and mean well; let the Answer be, That good and well-meaning Men do oft-times deceive both themselves and others; and in no Case so often, as in that of religious Zeal and Transport. And so far is a good Intention from taking off the Charge of Enthusiasm, that it is a necessary Ingredient in it; the proper Difference between an Enthusiast and an Impostor being this; that the first is deceived himself, and, as long as he enjoys his own Thoughts, and modestly keeps within the Rules of Peace and Order, is to be pitied; but the second intends to deceive others, and is therefore, in every Shape, to be abhorred and detested.

But there is one Thing in their Conduct, which it is hard to reconcile to fair and ingenuous Dealing; and that is, their endeavouring to justify their own extraordinary Methods of teaching, by casting unworthy Reflexions upon the Parochial Clergy, as deficient in the Discharge of their Duty, and not instructing their People in the true Doctrines of Christianity.

"It is most notorious, that for the *moralizing Iniquity* of the Priests, the Land mourns. We have preached and lived many sincere Persons out of our Communion. I have now conversed with several of the best of all Denominations; many of them solemnly protest, that they went from the Church, because they could not find Food for their Souls; they staid among us, till they were starv'd out. I know,

this Declaration will expose me to the Ill-will, not of all my Brethren, but of all my indolent, earthly-minded, pleasure-taking Brethren. But was I not to speak, the very Stones would cry out against them. Speak therefore I must, and will, and will not spare. God look to the Event. Whatever becomes of the Pastors who feed themselves, and not the Flock, I have born my Testimony, I have deliver'd my own Soul." Journ. III. p. 75.

Speaking of the Clergy who oppose their Methods: "What their real Reason is, whether Envy, or, *Master*, in so doing thou reproachest us, or ought else, shall one Day be manifested to Men and Angels." Ibid. p. 74.

"I perceive, People would be every where willing to hear, if the Ministers were ready to teach the Truth, as it is in Jesus." Ibid. p. 109.

This is a heavy Charge; and as it falls little short of that of our Saviour against the Scribes and Pharisees, so is it delivered with little less Authority. But I hope it is very far from the Truth; and if it be meant (as it seems to be) of the Generality of the Clergy of the Church of England, as preaching Morality, and not Christianity, it is impossible for the Person who lays the Charge, to know whether it is true or not. And therefore it ought, at least, to have been laid with greater Degrees of Caution and Restriction; and as it is not, one hardly knows what Name to give it. To call it a *rash* Censure, is by far too gentle.

The Success of Ministers in the Discharge of their Duty, depends greatly upon the Esteem and good Opinion of their People; and they who go about to represent the Parochial Clergy as unable or unwilling to teach their People aright, are so far answerable for defeating the good Effects that their Ministry might otherwise have. Unless they be weak enough to think, that *Itinerant Preaching* to confus'd Multitudes, is a more effectual Way to preserve Religion among us, than Parochial Establishments and a settled Ministry. At the same Time that People profess a greater Zeal for Religion than their Neighbours, they should take Care not to indulge themselves in such Liberties, as evidently tend to weaken and undermine that, which, under God, is the national Support of it.

The aiming at high Flights in Religion, and depreciating the ordinary Methods of maintaining and propagating it, looks speciously, and will never want Admirers and Followers. But surely, an Endeavour to raise Religion to greater Heights, and greater Abstractions from common Life, than Christ and his Apostles made and designed it, is attended with mischievous Consequences; from what Principle soever it proceeds, or with what Degrees of Zeal soever it may be accompanied. Some it draws from their pro-

per Business which God has required them to attend, and heats them by Degrees into a Kind of religious Frenzy, and seldom fails to lead them into *spiritual Pride*, and an inward Contempt of the Generality of their fellow Christians, as of a *low Size* in Religion, compared with themselves. And others are naturally led by it, to think it *impossible* for them to attain those *Heights* in which Religion is made to consist, and so to give over all Thoughts of being religious at all. With this latter View it was, that a zealous Advocate for Infidelity, some Years since, made it his Business to represent Christianity, and the Duties of it, as of such an *exalted* Nature, as might discourage the Generality of People from aiming at it, or thinking of it; in order to persuade them to take the same free and unrestrained Enjoyment of this World, that he himself was known to do. Whereas, nothing is more certain, than that the Christian Religion is calculated for common Life, for Low as well as High, for Poor as well as Rich; and, that one great Part of the *Exercise* of Religion, is an honest and diligent Discharge of the Business of our several Stations; out of a Sense of Duty to God who has placed us in them, and in the Hope of a future State of Happiness which he has promised, as the Reward of our dutiful Compliance with his Appointment. If it were otherwise, Christ would have introduced into the World a new Religion no Ways suited to the general Situation and Circumstances of Mankind, and have required such a Course of Duty, as the greatest Part of them are in no Condition to discharge.

There is a remarkable Passage in a late Journal, which seems to carry in it a great Deal of that Kind of *Discouragement*, which I have been speaking of. It is, Word for Word, as follows:

"I write this, to shew how far a Man may go, and yet know nothing of Jesus Christ. Behold here was one * who constantly attended on the Means of Grace, exact in his Morals, humane and courteous in his Conversation, who gave much in Alms, was frequent in private Duties; and yet, till about six Weeks ago, as destitute of any saving experimental Knowledge of Jesus Christ, as those on whom his Name was never called, and who still sit in Darkness and the Shadow of Death." Journ. III. p. 81, 82.

How it could be, that a professed Christian who constantly attended the Means of Grace, and was frequent in private Duties, did, all that While, know nothing of Jesus Christ, is beyond my Comprehension. And I am as much at a Loss to understand, what was that saving experimental Knowledge of Jesus Christ, for want of which, he could only be reckoned among Heathens and Infidels. We

ought also to have been acquainted with the Circumstances of the *sudden Illumination*, by which that Knowledge is supposed to have been conveyed; to enable us to judge to what Cause or Influence it ought to be ascribed. There is no Doubt, but God, when he pleases, can work upon the Minds of Men by extraordinary Influences; but, so long as there is no *Testimony* of their being the immediate Work of God, but the Whole rests, in this and other like Cases, upon the Imagination and Persuasion of the Person or Persons concerned; others, who cannot see the Heart, nor the inward Operations upon it, must be excused, if they consider it as *Enthusiasm* and *Delusion*; till they see reasonable Grounds for considering it in any other Light.

This Case may seem to bear some Resemblance to the Conversion of *Cornelius*, as recorded in the Acts of the Apostles, but differs from it in three important Points; the first, that we are very certain, because the Scripture has expressly told us, that the whole Affair of conveying the Knowledge of Jesus Christ to *Cornelius*, was ordered and carried on, under the immediate Direction and Guidance of God; the second, that the Person whose Ministry God was pleased to make use of, was *St. Peter*, an Apostle of Christ, and whose divine Mission and Inspiration were both unquestionable; and the third, that the Conveyance of the Holy Ghost was testified by an outward and sensible Evidence, namely, the Gift of Tongues.

It may, perhaps, be expected, that we should at least give his Lordship's Description of Lukewarmness in the first Part of his Letter, which is as follows.

BY Lukewarmness, I mean an Opinion and Persuasion, that if Men go to Church as others do, and give the common Attention to the Business of their Stations, and keep themselves from Sins of a gross and notorious Nature, and are no way hurtful or injurious to their Neighbours; they are as good Christians as they need be. By these, they reckon their Salvation sufficiently provided for; without any Endeavour to grow better, and without examining their Hearts upon what Motives and Aims they act; "Whether the Evil they abstain from, and the Good they do, be owing to a Sense of Duty to God, and a View to a future Reward in the next World, or only to the Fear of Man and the avoiding of Shame and Reproach in this: "Whether, in attending to the Business of their Station, they act under a Sense of Duty to God who has placed them in it, or have no higher Motive or Aim, than the carrying on their worldly Views: "Whether they are, on all Occasions, as ready to help their Neighbours, as they are fearful

* Mr. Secward.

fearful to hurt them; and neither covet any Thing they enjoy, nor envy them the Enjoyment of it: "Whether they find any Degree of *Delight* in attending the publick Worship of God, and endeavour before-hand to put their Hearts into a proper Frame for Attention and Edification: "Whether they satisfy themselves, that they have a real *Relish* of Devotion, by praying in *private*, as well as in *publick*: And, "Whether at the same Time, that they abstain from the Sins of a gross and more heinous Nature *themselves*, they shew a serious Dislike of them in *others*, and find an inward Concern at the Dishonour that is done to God and his Laws.

By these Tests, every one may judge of the Progress he has made in the Christian Life; and, if he find none of those Things within him, but that he has hitherto contented himself with a bare bodily Attendance upon the publick Worship of God, and following his daily Employment on other Days, and with abstaining from the more gross and notorious Acts of Sin, and from doing any Hurt or Injury to his Neighbour, and has rested finally upon these, as the *Whole* that Christianity requires of him; such an one is to conclude himself to be as yet in a very *imperfect* State, or, in other Words, in the Number of the *Lukewarm*.

Craftsman, July 28. N^o 681.

Observations on the State of our LAWS.

Mr. D'Anvers,

I SHALL not complain that the People of England are not made sufficiently sensible of the Weight of the *Laws*; especially those, which I call *State penal Laws*; and if some of the *moral Laws* had been as punctually executed, I believe no Part of the Kingdom, unless the *Excise Office*, would have suffer'd by it.—By a Statute of 21 James I. and other preceding Statutes, a *drunken Man* is finable in 5s. for the first Offence; or, upon Non-payment, to be set in the Stocks 6 Hours; for the second Offence, to give 10l. Security for his Appearance and good Behaviour till next Session. No *Ale-house Keeper* is to suffer any of his Towns-men to sit tippling at his House; and any *Ale-house Keeper*, who shall be drunk himself, is not capable of following that Business for 3 Years. If *Magistrates* had been as vigilant in putting these *Laws* in Execution, as some have been in reading *Proclamations*, I think it cannot be doubted, that the Expence and Severity of the *Gin-Act* might have been saved to the Nation.—A Man may buy as much *Gin* as he pleases, and get drunk as often as he pleases, with Impunity; but he, who sells it, whether to save a *Life*, or make a *Debauch*, incurs a severe Penalty. Would it

not be thought ridiculous to take the Felony of *Self-murder* off from the *Suicide*, and fix it upon the *Gunsmith*, or *Sword-cutter*, who sold the *Weapon*?

In the Reign of James I. *penal Laws* were so notoriously dangerous, that we find Lord Bacon writing against them; and I think his Judgment hath never been disputed, or ever will be, unless by some of the stupid Drudgers in the *Gazetter*.

"* But the Necessity of this Work, says he, is still greater in the *Statute Law*; for first there is a great Number of ensnaring *penal Laws*, which lie upon the Subject; and if, in bad Times, they should be awak'd, and put in Execution, would grind them to Powder. There is a learned *Civilian*, who expounds the Curse of the Prophet, *pluet super eos Laqueos*, of a Multitude of *penal Laws*, which are more than Showers of Hail, or Tempests upon *Cattle*; for they fall upon *Men*.

There are some *penal Laws* fit to be retained, but their Penalty is too great; and it is always a Rule, that any over-great Penalty, besides the Acerbity of it, deadens the Execution of the Law.

There is a farther Inconvenience of *penal Laws* grown obsolete and out of Use; for that it brings a Gangrene, Neglect, and Habit of Disobedience, upon the *wholesome Laws*, that are fit to be continued; so that our Laws endure the Torments of *Mezentius*, the *Living* die in the Arms of the *Dead*.

Lastly, there is an Accumulation of Statutes, concerning one Matter, and they so cross and intricate, that the Certainty of the Law is lost in the Heap, as your Majesty had Experience."

Whoever will count the Acts at the End of each Session, from the Beginning of Charles I. to the End of the last Session of Parliament, will find that there have been made, within that Time, no less than 1612 *penal Statutes*. I had the Curiosity to look over the Penalties of one Session, in which only had been pass'd 30 Acts, and the Penalties, great and small, were at least 100. If the whole 1612 were proportionably larded, the Amount of Penalties would be 5373.—But, thank God, many Deductions are to be made; several of these Acts being annual, several repeal'd (both the Act and Repeal being in this Number) and many, such as *Turn-pike Acts*, are determinable. But a more certain Account may be had of capital Punishments, from James I. to the 7th of his present Majesty, in the first Volume of Sir Matthew Hale's *History of the Pleas of the Crown*, page 697.

"Thus far of *Felonies*, in the Time of James I. In the Time of Charles I. I find no new-enacted Felony. I therefore come to

the Time of Charles II.—Here, says the Editor, the Manuscript breaks off, our Author having proceeded no farther; but to render the Work more compleat, it is proper to subjoin an Account of the several Felonies, which have been enacted since that Time; by which it will appear, that later Times have been no less fruitful in multiplying capital Punishments than former ones were.

In the Reign of Charles II. 3; one of which is repeal'd. In the Reign of William III. 6. In that of Queen Anne, 5. In that of George I. 15. During his present Majesty's Reign, down to the 7th Year, 5. In all, 33."

Most of these Acts have several Articles equally capital. I think, in all, 102, over and above the Mutiny and Desertion Act, and the Malt-Tax Act; which, being annual, he hath not added; tho' in both there are Crimes punishable with Death.

I have often read, and heard, that it was the Right of an Englishman to complain. The only Use I shall make of that Right, at present, is to wish that I may live to see, in the Votes of the House of Commons, a Committee appointed to examine what penal Laws are grown obsolete; and if, upon strict Enquiry, any of them should be found superfluous, or too rigid, that they may be formally repeal'd—And I apprehend, it would be no small Security to the Liberties of our Country, to have a fundamental Law, that every Bill should be promulgated a Year, at least, before it could be confirm'd into a Law; or rather, that no Law should be made perpetual till it had been try'd at least for 3 Years, that the Sense of the whole Nation might be known upon it from Experience.

Mr. Sidney had much the same Opinion of the Law, as it stood in his Time, as Lord Bacon. The Integrity of his Heart, and the Perspicacity of his Judgment, give him the highest Place amongst the Advocates for Liberty, the Subject upon which he wrote, and sign'd his Opinion with his Blood. I always mention him with Reverence and Gratitude; since the Firmness on his Trial, which was so iniquitously carry'd on, with his open and undaunted Behaviour on the Scaffold, sharpen'd the Minds of Men against the growing Tyranny of those Times, and even after his Death facilitated the Revolution, in which no Doubt he would have been a principal Actor, had he been living, and very zealous for the Redress of those Grievances, against which he wrote; especially the State of our Laws, to which he afterwards fell a Sacrifice himself.

"In many Countries, says he, page 337. sect. 26. and particularly in England, the Laws are so many, that the Number of them hath produced an Uncertainty and Confusion, which is both dangerous and troublesome; and the infinite Variety of adjudg'd Cases

thwarting and contradicting each other hath render'd these Difficulties inextricable. Tacitus imputes a great Part of the Miseries suffer'd by the Romans, in his Time, to this Abuse, and tells us that the Laws grew innumerable, in the worst and most corrupt State of Things. By the same Means, in France, Italy, and other Places; where the Civil Law is render'd municipal, Judgments are in a Manner arbitrary; and tho' the Intention of our Laws be just and good, they are so numerous, and the Volumes of our Statutes, with the Interpretations and adjudg'd Cases, so vast, that hardly any Thing is so clear and fix'd, but Men of Wit and Learning may find what will serve for a Pretext to justify almost any Judgment they have a Mind to give. Whereas the Laws of Moses, as to the judicial Part, being short and few, Judgments were easy and certain; and in Switzerland, Sweden, and some Parts of Denmark, the whole Volume, that contains them, may be read in a few Hours; and by those Means no Injustice can be done, which is not immediately made evident."

At the Time, when Mr. Sidney wrote, there were not above two Volumes of Statutes, the first containing the Laws for the Space of 300 Years and upwards; but the Emendations and Additions to the Laws since that Time, swell'd them into six Volumes, 7 Years ago.

The Opinion of Lord Bacon and this great Man, (to whom the present Royal Family, the Nation, and all true Lovers of Liberty are so much beholden) should, I think, be sufficient Grounds for an Enquiry, in order to redress the Grievances complain'd of, if any should be discover'd.

Common Sense, August 4. N^o 131.

PRINCES ruin'd by their MINISTERS.

IT is a common Observation, that those who trust all to Servants are in a fair Way of being undone. You see Men sometimes become Bankrupts, while they are in a most profitable Way of Business: And it is generally found to be owing to their committing their whole Affairs to the Management of those under them.

Look a little into higher Life, and you shall see a Man of great Fortune, who hath nothing to do but to receive so much Rent every Year, and to support his Rank by spending it with a generous Oeconomy, always necessitous, always in Debt, and running out more and more every Year: But if you come to ask him, what such or such a Tenant pays for his Farm, he can't tell; you must ask his Steward; he knows no more of what his Estate produces, than you do. The Steward, in the mean Time, purchases a large Estate
M h

for himself: He tells you, my Lord is a very good Sort of a Man, he never troubles his Head about any Thing: While all the rest of the World says, his Lordship is a Fool.

Let us go a Degree higher still, and apply this to the Affairs of a Nation. When the Stewards of the Commonwealth have to do with these very good Sort of Men, who never trouble their Heads about any Thing, there is a most spacious Field for Roguery.—Our Parliaments in this Nation are Checks upon our Ministers: It is they who are to call them to a strict Account for their Management.—As they are not to be corrupted, they never will suffer a Pack of rapacious Fellows to go off with immense Plunder, and leave the Nation distress'd by their Dissipations and Mismanagements.—If the Person who is appointed to audit the Steward's Accounts combines with him for a Share, the Master is bought and sold.—In a Monarchy, the Prince and People may be both cheated; the Prince chuses the Ministers, and the People are to look after them. If the Prince makes a bad Choice, which is but too often the Case, and those who act for the People suffer them to go on in Male-Administration, there is nothing but Ruin can be the Lot of such a Nation.

Every Man that hath been conversant in Courts, must have seen that all the little Cunning they are Masters of, is employ'd to conceal the State of Affairs from the Master, and to palliate and disguise their Rogueries: He is like a Man cur'd with a bad Wife; he who is principally concern'd in the Infamy of her Course of Life, is the only Person that is not acquainted with it. In the mean Time, you shall see these People carry it with a high Hand;—when the Nation calls loud for Justice against them, they treat the whole Nation as a Faction, and call their very Blunders and Robberies his Majesty's Measures: Thus it sometimes goes on till the People can bear no more, till at last, perhaps, the Prince himself suffers for the Crimes of his perfidious Servants.

Among the many fatal Examples of this Kind, there is one very affecting in the History of *China*, which I shall give a short Account of.

Zunchin, the last Emperor of *China*, had all the Dispositions to incline him to govern mildly, yet we cannot call him a wise Man, who was so injudicious in the Choice of his Ministers and Officers. These Creatures made use of his Authority to gratify their own Passions, and extend their Ambition; the Consequence was, that the People were made uneasy; but their Grievances and Complaints never reach'd the Ears of their Emperor: The Ministers had fill'd the Court with their Tools and Creatures, and stopp'd all Passages of Complaint to the Prince. Thus they went on to abuse his good Dispositions, and may be

said to have sold both the Empire and their Master.

A Rebellion was begun by *Ly* and *Claw*, who had both been Generals in his Army, and had been ill used by the Ministers, probably for no other Reason but because they would not be Slaves to their Power. They knew they should not be opposed by the common People, who would not fight to keep Scoundrels in the Administration and make them more insolent: As to those who had the Guard of the Emperor's Person, and the Government of the State, *Ly*, the Rebel, was sure he could gain them over, at any Time; and, accordingly, when the Officers and Magistrates, put in by these bad Ministers, saw the Rebellion look a little formidable, they enter'd into a Conspiracy for securing themselves. *Ly* sent some of his People, disguised as Traders, to treat with those Fellows; and Traders they were.—When the City was deliver'd up, and the unhappy Emperor retired within his Palace, he first with his own Hand put to Death his only Daughter, then he and his Empress hang'd themselves.—Before he dispatch'd himself, he writ with his own Blood what follows.

"The *Mandarins* are Traytors, they have perfidiously betray'd their Prince, and all of them deserve to be hang'd: It will be a laudable Piece of Justice to execute this Piece of Justice upon them; it is fit they should all suffer Death, that those who succeed them may be instructed, by their Example, to acquit themselves with Fidelity of their Trust. As for the People, they are not criminal, and deserve not to be punish'd; and therefore to use them ill will be Injustice. I have lost that great Empire, which descended to me by Inheritance from my Ancestors, by the Treachery of the *Mandarins*. In me is finished the Royal Line, which so many Kings, my Predecessors, continued down to me with all the Grandeur and Fame suitable to their Dignity: I will therefore for ever close my Eyes, that I may not see this Empire, descended to me from so many Generations, thus ruin'd and ruled by a Tyrant. I will go and deprive myself of that Life, for which I can never suffer myself to be indebted to the basest, and vilest of my Subjects. I have not the Confidence to appear before them, who, being born my Subjects, are become my Enemies and Traytors. It is fit the Prince should die, since his whole State is now expiring; and how can I endure to live, having seen the Loss and Destruction of that which was dearer to me than Life?"

G Thus died the Monarch of a Kingdom as large as all *Europe*; he who commanded 100 Millions of Subjects was reduced to destroy himself and his Family, all brought upon him by the Villany of his Ministers at 32 Years of Age.

Crafft

Craftsman, Aug. 4, and 11.

Some Thoughts on the MINISTERIAL PARTY, and the OPPOSITION, or COUNTRY PARTY.

Mr. D'Anvers,

THE Honour you have done me, by inserting my Letter in your Paper of June 23. hath embolden'd me to give you my farther Thoughts upon the same Subject. (See p. 344.)

I do not, at present, recollect an Instance in any History, where the Government hath been destroy'd by popular Tumults, till the ruling Part have, by Art or Treachery, got more Power than was consistent with the Freedom of the State; so easy are the Populace to be manag'd: But when the People are once agitated; when provok'd by Insolence and Oppression, it is not wonderful that they should run into another Extreme, and trample upon that Authority, so necessary to preserve Subordination; whilst they think, in their Fury, that they are only retaliating upon that usurped Influence, which was tending to destroy them.

If the Wisdom of Man could invent a political Machine, in which all the Wheels may act without prejudicing the others, I think it may be found, with a few additional Rivets, in the Form of the British Constitution, where the Operations are separate and independent in their respective Rotations, but still giving Force to the grand Movement, in which all their Strength terminates. Now I take the capital Spring of our British Constitution to be our elective Part of the Senate, for which all Foreigners envy us. All our publick Calamities have proceeded from the Neglect, or wild Experiments upon this Spring. Some have suffer'd it to rust by Disuse; and others have precipitated the Motion by chymical Oils; but its own natural Compulsion gives the truest Vibration, and let it be duly wound up, it will keep its steady Influence, and give a just Force to the rest.

We may hope that the unruly Ambition of Monarchs and Ministers, is sufficiently restrained by the well-digested Principles, Oeconomy, Liberty, and Self-defence, in the democratical Part of the British Constitution; and by the Gradation of each State, the Populace are more easily brought to Subordination, upon which the Vitals of Government subsist, and are likewise better train'd to the Obedience of Laws, as well as a Reverence of those Magistrates, who act with Decency and Dignity. In a Word, the British Constitution is best in Form, and the whole Secret in Practice is to preserve each State free and independent.

A Man must neither hear nor see, who is not hourly a Witness of our present Animosities, and be more than a Philosopher, or less than an Englishman, who hath not a greater

Tendency to one Side than the other. For this Reason, as I hope there are many Persons on both Sides, who really mean the Good of their Country, I think too much Caution cannot be given to prevent personal Resentment and Prejudice.

Both Sides make Reflexions, which I should be glad were often omitted, and I wish neither deserv'd. The Caution those well-meaning People, on both Sides, will use, who are more zealous to rectify, than prone to revenge, or covetous to gain, will be to consider what Points have been oppos'd, and whether those Points tended most to the Service of the Ministry, or the People; and what private Views Opposers could propose to themselves; to compare the Event of Things, which have happen'd, with the probable Consequences, which different Measures might have produced, and to weigh well the visible Interests and Motives of the different Advisers and Actors.

I am not fond of Party Names; but, for Distinction Sake, must use different Denominations. I shall therefore endeavour to take the least invidious; the ministerial Party, for one Side, and the Opposition, or Country Party, for the other.—I shall first consider their different Behaviour, with Regard to the Army; and here let us remember that the Question was never put, Army, or no Army; so that the Country Party cannot be said to have oppos'd an Army, but only in Part as to the Number, which they were desirous to reduce, because a great Army is oppressive, disagreeable to many Persons, and dangerous to the whole Community. Besides, the Country Party were inclin'd to bring the current Expences of the Year within the Land-Tax at 2s. in the Pound, and the Malt-Duty; that the Sinking-Fund might operate as originally intended, either to lessen the national Debt, or discharge some heavy Taxes upon our Manufactures, that we might be the better able to support a War, when the Defence of our Honour, or our Safety, should make it become necessary.

Both Parties agreed that the Nation ought not to be left defenceless; and the Country Party was for supplying the Strength of the Army, in Time of Peace, by a well-regulated Militia, as such a Force would be much larger, much cheaper, not so terrible to the People, but as useful and formidable against any foreign Invasion.

And here every Body must judge for themselves, whether at this present Conjuncture it would not have been more eligible to have had a less Army for 20 Years past, and as many Millions discharg'd of the national Debt, or to be in our present Circumstances; and whether the Army hath been of more Service to the Minister or People; and what ambitious Views the Country Party could have in opposing the Number of Men kept up.

If Kindred, Alliances, or private Friendships

ships were to have prevail'd, the *Country Party* had as many Attachments as the *ministerial Party* to the Gentlemen of the *Army*; but amongst good *Englishmen*, these are only Considerations of an inferior Rank, and will always give Way to the publick Good.

The *Country Party* likewise complain'd of the Oeconomy of the *Army*; that *Regiments*, *military Governments*, and other *Commissions* have been often and long kept open, without any Saving to the Nation; and that the *Half-pay Officers* were not sufficiently taken off from the Expence of the Publick.

What ambitious View could there be in this Complaint; which is so far just to a Demonstration, that there is yet a large annual Article of *Half-pay*, tho' whoever attends any of our *Reviews* must observe from the Countenances of many Officers, that they could not be born at the Peace of *Utrecht*. I don't know whether we have not some *Field-Officers* of much the same Age, and even some *General-Officers* who had no *Commissions* in the late War.

The *Country Party* complain that too many *Place-men* and *Officers* sit in the House of *Commons*; and is there any one, who can think that the Constitution would be endanger'd, if no *military Man*, or *Clerk of an Office*, was capable of being in that Part of the Legislature?

The *Hessian* and *Wolfenbuttle* Troops were oppos'd by the *Country Party*. Could this be done to satisfy *private Ambition*, or to gratify any *implacable Revenge*? But where *Ministers* have the Management of *publick Money*, is the Case so clear? I think it is now pretty certain that we had no Occasion for those Troops; and considering that the present Prince of *Hesse* is likewise King of *Sweden*, if any Credit may be given to our News-papers, we may have a very unwelcome Caution not to waste any more of our Money upon an *Hessian Militia*.

The *Country Party* was very strenuous against the Revival of the *Salt-Duty*, which was taken off for a Year or two, upon a gracious Recommendation from the Throne, in Favour of our poor *Farmers*, *Tradesmen*, *Manufacturers*, and *Labourers*; but notwithstanding all their Efforts, the *ministerial Party* prevail'd. (Vol. I. p. 381, &c.)

They likewise oppos'd the *Excise-Scheme*, which the *ministerial Party* projected and push'd with their utmost Strength, but were at last oblig'd to give it up, for their own Security; and let us farther consider whether the Constitution would not be much less under *ministerial Influence*, if there was not one *Excise-Officer* in England. (V. II. p. 537, &c.)

But I do not remember that the *Land-Tax*, or *Malt-Duty*, have been lately oppos'd by the *Country Party*; in which, as to immediate Profit, they were more affected than in the other Taxes. In this Point therefore

they cannot be accus'd of gratifying *private Discontent*, that they might in all Shapes, right or wrong, distress the *Administration*; since the Method of *Taxing*, more than the Sum, is what they have chiefly oppos'd in these Cases, as they apprehend that these Forms of *Taxation* would give the Crown such an Influence in *Elections* as might prove destructive of that *Equilibrium*, which is necessary to be preserv'd between the *respective States* of the Legislature.

The *Frauds in the Customs* were urg'd as an Argument by the *ministerial Party* for the *Excise-Scheme*; upon which the *Country Party*, tho' they could not concur in the *Excise*, were very ready to detect any *Fraud*, by which their Country might suffer, and propos'd a Committee to be appointed by the *House of Commons*, to inspect into those Cheats. The *ministerial Party*, instead of looking upon this Proposal as a Concurrence to support their Authority, exclaim'd that it was an Attack upon the *Administration*, with a Design at once to destroy them. A great Struggle was made, on both Sides, who should be on this Committee. The Place, in which the *ministerial Party* solicited this Affair, and the Manner of the Solicitation, was then too well known to be easily forgot. Every Body out of the *House* hath ask'd, where could be the Danger of suffering the Committee to consist of *Opposers*? For had they been wicked enough to have done any Thing unjustly, to the Prejudice of People in Place, the *House* was not so partial against the *Administration*, as to have permitted it to pass uncancel'd; and I think it reasonable to believe, that a Justification of *Opposers* will always be more satisfactory to *Country Gentlemen*, and the People, than an Enquiry of *Place-men* into *Frauds* committed by *Place-men*. Thus was this Enquiry pass'd over—Whose *private Views* and *Ambition* were consider'd in this Case, I shall leave to the Judgment of the Reader; but I never heard of any Officer being displac'd by this Enquiry, tho' the *Frauds* were so much complain'd of before. But here I must make this Observation, that either the *ministerial Party* made a very unjust Complaint of *Frauds in the Customs*, or the Committee made but a scanty Enquiry. (Vol. II. p. 605.)

The Allowance made for what the *Gin-Aff* might lessen that Part of the Revenue, which belongs to the *Civil List*, was oppos'd by the *Country Party*; who apprehended that the *Civil List* would be reimburs'd for any Deficiency, which might be occasion'd by lessening the Quantity of *Gin*, by the Increase of the *Malt-Duty*. (Vol. V. p. 535, &c.)

The 115,000*l.* rais'd at the Beginning of the present Reign, was strongly oppos'd by the *Country Party*; and what *ambitious*, or *covetous Designs*, could they have in this Respect? (See p. 278. D.)

As to *foreign Affairs*, I believe the *Country Party* have disliked, and therefore oppos'd most of the *Negotiations abroad*, for many Years past; especially such as threw us under the Influence of *France*; the *Treaty of Seville*, for introducing *Don Carlos* and his *Spaniards* into *Italy*, accomplish'd at a very great Expence, by our own *Fleet*—In short, all *Treaties*, which united *France* and *Spain*, or agrandise those *Powers*, were oppos'd.—But we went upon a Maxim, that there was no *Kindred*, or *Friendship*, amongst *Princes*; which may be true; and the *House of Bourbon*, if they can destroy their *Neighbours*, may then quarrel amongst themselves. But the *Pack* always unite in the Chace. When the *Stag* is run down, they may quarrel about picking his Bones.—In the whole Series of these Transactions, the *Country Party* oppos'd the Proceedings, and foretold the Consequences of them.

The *Country Party* oppos'd the late *Convention*, by which they manifested that they judg'd much better of the *Spanish Delusions* than the *ministerial Party*; and let any Man judge who had most *private Views*, to gratify; those, who contriv'd, or those who oppos'd the *Convention*.

As to the *Secession*, I shall only observe, that if there are any People, who can suppose the *Parliament* to be influenc'd by any other *Motives*, than *Argument*, they must justify the *Seceders*; and others, who think the *Virtue* of that *Place* impregnable, must dislike it; which must be left to every Man's Judgment.

It is very remote from my Intention to give any other Preference to either Side than what arises from known Facts, and self-evident Truths; it being to me a Matter of the greatest Indifference, who are in *Place* and *Power*; but how *Places* and *Power* are manag'd, is of great Importance to all Men.

I will finish this Letter with one short Observation—A *Minister* who would use *Corruption*, ought not to have it in his *Power*; and a *Minister* who scorns to use it, may easily part with the *Power* of having it.

I am, Sir, &c.

Common Sense, Aug. 18. N° 133.

Of the *Secession* and *Death* of *THRASEA PÆTUS*, the *Roman Senator*.

WHENEVER I meet with a fine Passage in History, concerning those who acted successfully, or suffer'd bravely, for Liberty, I take a Pleasure in recommending their Example to my Countrymen. I would have this Paper, and that of my Fellow-Labourer, the *Craftsman*, be a complete Collection of all that can be found, or suggested, to animate a free People in Defence of their Rights, or to give them just Abhorrence

of Corruption, and of arbitrary Power: Let them see how Patriots have behaved themselves in the best, and worst of Times, when *Rome* was disinterested and free, and when she was venal, and enslaved. To this Purpose *Tacitus* will be as useful as *Livy*: He will teach us how to act under a *Tigellinus*, if so corrupt, and shameless a Minister, should ever lord it over the Senate of *England*.

I shall need no farther Preface for a short Translation of Part of the 15th *Annal* of that instructive Historian.

"After murdering so many illustrious Men, *Nero* desired at last to cut off Virtue itself, by putting to Death *Thrasea Pætus*." The chief Crime objected to him was, "That he, who had ever been so assiduous in his Attendance; he who, even in the ordinary Business of the Senate, had been used to distinguish himself on one Side or the other, now, for 3 Years, had not come into the House: That this was a *Secession*, a Party formed against the Government, and, if Numbers should dare to engage in it, would be open Rebellion. That, in the Provinces, and Armies, the Journals of the *Roman People* were read more eagerly than ever, only to know, what those Proceedings were, in which *Thrasea* would not take any Part."

To this Charge were added some other Proofs of the Malignity of his Spirit; as, "That he did not believe in the Divinity of *Poppæa*, the deceased *Empress*, whom the Senate had deified."

The Conclusion was, "That he and his Followers pretended a Zeal for Liberty, that they might overturn the Government, and when they had gain'd that Point, their next Attack would be upon Liberty itself."

The *Emperor* himself made a Speech by the Mouth of his *Quæstor*, in which he accus'd the Senators of deserting their Functions; and he added, "it was no Wonder, if those from remote Provinces fail'd to attend, when many who had borne the highest Offices in the State withdrew from the Senate, and went to divert themselves in their Gardens."

One of the *bird* Orators for the Court declaim'd with great Vehemence, "That the whole Safety of the State was concern'd. By the Contumacy of Subjects, the Lenity of the Government was abus'd and wearied out. The Senate had been too mild in suffering so long the Revolt of *Thrasea* from his Obedience, that of his Son-in-Law, *Helvidius*, who was his Accomplice in Rebellion, that of *Paconius Agrippinus*, who had an hereditary Hatred to the present Government, and *Curtius Montanus*, the detestable Author of libellous Poems, to escape with Impunity." He required "the Presence of *Thrasea* in the Senate, unless he had renounc'd the Constitution, and the Forms established by their Ancestors, and openly declared himself a Traytor and avowed Enemy

to

to the State. Let him come (cried the Orator) he who was wont to be so active a Senator, and so forward in defending those who had libell'd the Emperor, let him resume his Place, and offer his Sentiments what he would have corrected, or changed. It would be much more easy to indure his Railing at particular Measures, than by his Silence condemning the whole Administration at once. What is it offends him? Is it the general Peace? and our Triumphs gain'd without the Loss of a Man? No—let us by no Means suffer one who grieves at the publick Felicities; one who looks upon our publick Assemblies as Desarts not fit for him to inhabit; one who is continually threatening us with a voluntary Exile, to attain the Ends of his malignant Ambition: To him our Decrees are null, our Offices void, we are not Senators, we are not Magistrates; this City is no longer Rome. Let him therefore cut himself off intirely from that Commonwealth, which he has long since ceas'd to love, and now cannot bear even to see."

Thus was the Retreat of this great and good Man misrepresented by the prostitute Tools of Court Defamation; thus was he censur'd, because he would not sit in a Senate where such as they had a certain Majority; because he disdain'd to mingle with the Slaves of Tigellinus, who, in the Name of Nero, govern'd there with absolute Sway: And for this Offence they condemn'd him to Death, being ready to execute any Villany their Master commanded.

Thus all the Iniquities of those Times had the Authority of the Senate, and the Sanction of Law. Thus, as bad as Nero was, the Roman People suffer'd still more by the Forms of their Republick being kept up when the Spirit was lost, than they would have done had the Government been purely Monarchical. For Tigellinus and the Emperor durst not have acted so tyrannically alone, as they ventured to do with the Concurrence, and under the Name of the Senate. Tiberius scrupled to give that Concurrence, and to lend that Name to impose on his Country: He therefore retired, and, in his Retreat from the Senate, was much more, than those who continued there, a true Roman Senator.

I shall conclude this Paper with his dying Words. When his Veins were open'd, he call'd the Quæstor up to him, and sprinkling the Ground with his Blood, "Let us, (said he) make this Libation to Jupiter the Deliverer. Behold, young Man; and may the Gods avert the Omen from you: But you are born to Times in which it may be fit for you to fortify your Mind with Examples of Constancy."

Craftsman, Aug. 18. N^o 684.

The Argument of CORRUPTION, as manag'd by the Gazetteers, consider'd and exploded.

IT would afford Matter of Satisfaction to the World, to be well acquainted with

the grand Politician's genuine Thoughts of his scribbling Band of Pensioners. But let his Opinion of their Merits be what it will, the Sense of the Publick is very well known; for, I think, it is universally allow'd, that his Cause cannot be worse than the Advocates, retain'd to defend it.

A Amongst the many Points, lately controverted, none has given more Vexation to these ingenious Literati, than the Subject of Corruption. Some of them boldly deny the Charge: They acknowledge, indeed, that there are above 200 Places of Profit possessed by their good Friends of a certain Assembly; but these same Places are the most harmless Things imaginable in such good Hands, and have not the least Influence upon their Votes, or their Actions. At the same Time, our special Reasoners will maintain, that these very Places govern every Vote of the wicked and corrupt Men in the Opposition; for, it seems, the present Enjoyment of a profitable Employment has no Effect, whilst the bare Hopes and Expectation of one has a Power irresistible. Surely these profound Casuists have forgot that famous Declaration of their Patron concerning the Conduct of Place-men, by which he gave them plainly to understand what Services were expected from them; as well as the many Instances of Gentlemen, who have felt the Effects of his Displeasure for presuming to vote contrary to his Prescriptions.

C Others of the same Fraternity, knowing by Experience that Places and Pensions have no mean Influence on some Constitutions, are afraid to let the Dispute go upon that Issue. They venture to speak out the plain Truth, and tell us, that a good Ministry (that is, every Ministry, till we shall see one that has Candour enough to own itself a bad one) ought to be supported by any Ways, and all Means whatever.

D In one of their late Lucubrations we see it avow'd, in almost express Terms, that when a Minister is strongly oppos'd, he may justifiably take off his Adversaries by Places, if he has the good Fortune to have as many Places as Adversaries; and if that won't do, he may bribe them secretly; but if they should prove such a Pack of restless, fractious Men, that they can't be brought to concur with the Minister on any Terms, why then the Minister may hire others to out-vote them, and set up a Shop, where those, who are willing, may publickly enter themselves into Pay, since without such Means a proper Dependency of the 3 Parts of the Constitution cannot be preserved.—As extravagant as this Doctrine may appear, it is their own without Exaggeration.

E A constitutional Dependency between the several Parts of the Legislature has ever been asserted by the Country Party, and a venal Dependency constantly exploded. For whenever one Branch

of the Legislature shall gain a fixed Influence over either of the others by *Venality*, the *Legislative Branch* will become a Cypher, and useless, or rather pernicious, as it must give up its entire Strength to the *Purchaser*; and thus the People might be deceived by the Appearance of a *perfect Constitution*, when, perhaps, in Reality, two Parts of it had yielded up their Share of Power to the *third*. Such is the *Dependency* which we condemn, and our *Place-Patriots* recommend.

On the contrary, whilst each Part of the Constitution remains in Purity, it will be a Check upon the Exorbitancies of the others; and no mischievous Contentions can probably arise amongst them, until one shall grasp at more Power than justly belongs to it; and to guard against such Encroachments was the chief Intention of the Founders of *mixed Governments*. Nor has any one of these *Gothick Institutions* been subverted, but by the same Means; that is, *Fraud* and *Corruption* from the *executive Part* has begun, and *Force* and *Violence* completed the Dissolution of them.

But to return to our good Friends: They have just made a Discovery that the *Civil War*, &c. in the Reign of *Charles I.* might have been prevented, if that Prince had been provided with *Places* enough to have given amongst the Leaders of that *Opposition*. Perhaps such an *Expedient* might have had that good Effect; but it must have been in a Manner very different from what they seem to apprehend. To suppose that the just and public-spirited Men of that Age would have sold themselves to support a wicked Administration, is without Foundation in History, as it likewise is to imagine that the People of *England*, in that Conjunction, would have tamely submitted to the Court, only because they saw new Faces there, without any Redress of Grievances.

Indeed, had that misguided Prince freely given up his evil Counsellors to the Censure of the Laws, and sincerely design'd to regulate his Government by the Advice of a free Parliament, it is probable those great Men, said to be in Treaty with the Court, would have undertaken the Administration, and it is reasonable to believe they would have conducted it to the Satisfaction of the Nation, as well as to the Safety and Honour of the King.—But, methinks, it is a little surprizing (if any Absurdity could surprize from that Quarter) to find a Man of *Revolution Principles* lamenting that Measures were wanting in the Year *forty-one*, to establish arbitrary Power.

Nor is it more consistent with those Principles to be raking into the Ashes of *K. William*, to produce one Precedent to justify the whole Doctrine of bribing Senators. The Person, who tells the Story, and his Associates, are much better versed in the secret History of *Corruption* than I pretend to be; so I shall not

controvert the Truth of it. But if one artful, treacherous Man, who deceitfully had gained Popularity, was luckily taken off, which in immediate Consequence might be of real Service; will that justify the leaving a Gate open to *Corruption*, for Ministers to go thro' as often, and as heavy-loaded as they please?

A Will the Act of one single Man, who was in Secrecy bought and sold, be a sufficient Argument to set up a Shelter for *Corruption*; a Shop with a Sign over it—Here the well-affected may be bribed; come as many as will; enter and welcome? Surely the Danger of *Corruption* is carried much farther by the avowed Doctrine of the latter Sort, than by the secret Practice of the former. I myself condemn the one, nor shall I commend the other. If any such Thing ever was once done with a good Event, it was at best but doing Evil that Good might come of it; and it were to be wish'd by all good Men that a Veil were thrown over it, and the Precedent buried in Oblivion.

C But to do Justice to our Advocates of a ministerial Faction, we must own they do not carry their Defence of *Corruption* so far as to justify all Parties concern'd in it. Their Business is only to stand up for their Patron's Character. As for those, who take his Money, they think a good Bribe is full Recompence for a little Scandal and Reproach. Therefore, in order to make their Doctrine a little less shocking, they will allow that *Bribery* cannot be practis'd with perfect Innocence; but if you will believe them, the Person, who receives the Bribe, is guilty of *Corruption*, but he that gives it is not.

D Now I should think it very hard, if upon saying the ministerial Hack write confounded Nonsense, any Body should reply; No, it is not their Nonsense, who exhibit it, but yours, who receive and read it.

E I have often heard that the Receiver was as bad as the Thief; but till this Argument was advanced, I never heard the Thief was innocent. If this Reasoning was just, the Devil would be harmless, and only the poor deluded Mortals, who sin at his Instigation, would be criminal. It is a Maxim in the Law, that all are Principals, in Murder; and shall the Man, who hires Assassines to butcher the Constitution, be less criminal than he, who employs a Bravo to commit a single Homicide?

F Join this Assertion to any Sin or Immorality, and it will still come out the same. A Man may as well act Fornication, Adultery, or Sodomy, and be innocent, as corrupt another, himself being incorrupt.

G But if this favourite Corruption of theirs, was a Thing not morally evil, we might surely be able to find some Rules, on which to proceed in the Use of it, and some Limits to

to prevent the Excess; but *Corruption*, if it be allow'd to take Place, in any Shape, or in any Degree, in the Body Politick, can no more be limited than Immoralities in a vicious Man; whose Vices will never be restrained till his Constitution is exhausted.

If *Ministers* have a Right to use corrupt, or any Means for the Support of their own Actions; if all, who oppose their Actions, are to be deemed *false Patriots*, and *Enemies to their Country*, because by opposing they add a Necessity of bribing higher; such *Postulata* will prove more than is intended; that a Body of Men, who will do no Duty, for which they are not paid at their own Price, should rather be disbanded than kept up at an exorbitant Expence.

They will likewise prove, that every *Minister*, good or bad, may rightfully give *Bribes*, whenever he shall find it necessary—That he may give 200,000*l.* or, if the Price should run so high, a *Million*, to secure himself and his Measures; or, in the Words of the *Faction*, to gain a *mutual Dependency*; and when that shall be once admitted, it will be no hard Matter to prove that the *Parliament* ought to give back those Sums, and raise them upon the Publick; because they were only Moneys expended to controul the *Faction*, and to preserve an Harmony, and a proper Dependence between the several Parts of the Constitution, so absolutely necessary to the Well-being of the Whole. Such are the Inferences, which will necessarily follow the Doctrines advanced by these *Partizans of Power*, who generally overlook what amongst honest Men will be reckon'd the first Consideration, the *publick Good*, and the Preservation of *Liberty*; but hasten to their main Points, which are, to lay down *Party-Maxims*, as full Proofs of what Methods a *Ministry* may use to carry on their own Schemes, and then to assert vigorously, that whoever opposes the *present Ministry*, does it only to get *Places*.

But let them take a View of the principal Persons in the *national Party*, and then let them ask their *Pay-master* (those among them, who have the Honour to be admitted into his Presence; let the others desire the *Master-master*, next Time he brings them Orders and Stipends, to ask for them) which of these *Gentlemen* might not be received into Place, who would concur in his Measures; nay, has he not told many of them that it was their own Fault they were not in Place; and that none but themselves kept them out? Or, if it must be suppos'd that they are as eager after Preferment as they are represented, let it be observed that *Age* and *Infirmities* may very soon make Room for some of them.

But surely this is a most fruitless Disquisition; for if it be true, that the Votes of one Side are concerted by the Hopes of getting into Places, as those of the other are con-

troul'd by the Fear of losing them, what must be the Inference? Why, that it is absolutely necessary, by the Confession of both Sides, to take away the Places, which have so pernicious and extensive an Influence.

Or shall we for once be candid on both Sides? Let us mutually acquit both those who are in Place, and those who are out, of all Motives of *Self-Interest*. Then let us hope this disinterested Generation will seriously consider, that Prudence forbids us to presume an equal Degree of Virtue and publick Spirit will be found in the Representatives of every Age. Let us therefore expect to see them strive with Emulation to purge the House of these Baits of Allurement, by some effectual Law; and let the People have the Benefit of the Law, whoever gets the Profits of the Places.

The Passages referr'd to in the above Paper, concerning K. Charles I. and K. William, were in the Gazetteer of Aug. 1. as follows.

THAT those Troubles might have been ended, is most certain. But what was the Method? I will set it down in the Words of Lord Commissioner Whitlock, who, speaking of the Trial of the Earl of Strafford, has these Words: "There was a Proposal, the Subject of much Discourse, to prevent all this Trouble, and to restore the Earl to his former Favour and Honour, if the King would prefer some of the Grandees to Offices at Court; whereby Strafford's Enemies should become his Friends, and the King's Desires be granted: It was, that ** should be made Lord Treasurer; the Lord Say, Master of the Wards; Mr. Pym, Chancellor of the Exchequer; Mr. Holles, Secretary of State; and Mr. Hampden, Tutor of the Prince; others to have other Places. In order whereunto, the Bishop of London resign'd up his Treasurer's Staff; the Lord Codrington, his Place of Master of the Wards. But whether upon the King's Alteration of his Mind, or by what other Means, is uncertain, these Things were not effected; and the great Men, baffled thereby, became the more incensed and violent against the Earl, joining with the Scotch Commissioners, who were implacable against him." Now will any Man living say, that it had not been better for this Kingdom, that these Gentlemen had some Way or other been accommodated with Places, tho' a little at the Expence of the Independency of the House of Commons?

In the Days of King William, when there was much such an Opposition as there is now; an Opposition that laid the Foundation of the national Debt, by embarrassing the necessary Supplies: I say, in that Reign, Things were once at such a Pass, that the King, or his Ministry, found themselves un-

the Necessity of giving one of the *Chiefs* of the Malecontents a large Sum of Money, in order to obtain such a Supply as might prevent the Army from being disbanded in the Mists of a War, undertaken by Advice of Parliament. I would be glad to know, whether ever, in the Opinion of our present Malecontents, this was Corruption in those who gave the Money; for that it was so in him who took it, all the World must agree.

Common Sense, Aug. 25. N^o 134.

Continuation of the REMARKS upon TACITUS. (See p. 401.)

WHILE *Tiberius Patus* was expecting his Condemnation from the Senate, and his Friends were consulting with him what it was fit for him to do, "there assisted in the Consultation *Rusticus Arulenus*, a young Man of great Fire, who, from a Desire of Glory, offer'd to oppose the Decrees of the Senate; which, being *Tribune of the People*, he had Authority to do. But *Tiberius* check'd his Spirit, and would not let him attempt a vain Opposition, useless to him in his Danger, and which would certainly prove destructive to the *Tribune* himself."

It is impossible, from this Passage, for the Reader not to observe, how useless it is to a State, that Names and Forms should be kept up, when Realities are gone. The *Tribunitial* Power was the great Guard of the Roman Liberties. Did the *Consuls*, did the Senate exceed their Bounds, and incroach upon Freedom? they were stopp'd by the Opposition of the *Tribunes*, and the Rights of the People were sav'd. After the Usurpation of the *Cæsars*, the same Office remain'd, the same Power was lodg'd in it, the same Duty annex'd to it, and the same outward Veneration pay'd to the Person who bore it. How happen'd this? How was this compatible with absolute Power?—My Brother *Gordon* will tell you in his 7th *Discourse* upon *Tacitus*, when he gives the Reason why the Senate of Rome, and the ancient Magistracies subsisted under the Tyranny of the Emperors: "They found (says he) their Account sufficiently in breaking the Power and Spirit of the Senate, in reducing it to a Skeleton, a Name, and in exercising under that Name all their own Violences, and Exorbitancies."

Thus it was with the *Tribunitial* Power. Had any Good been propos'd by the Senate against the Liking of the Emperor, he would have order'd the *Tribune* to interpose with his Negative; and if the Senate had complain'd of it, they would have been told, it was the ancient Constitution; it was the Right of the People; it was sacred, and they who oppos'd it subverted the Laws. But when the same Power was to be exercis'd for the Good of

the Publick, then the Mask was pull'd off, and *Cæsar* declar'd the Laws were *his*, and he would bear no Controul.

This would have happen'd in the Case of *Arulenus*. *Nero* was willing that the Senate should condemn *Tiberius Patus*, and cloak his Murder under the Form of Law, rather than destroy him by an Act of his own absolute Power: But had the *Tribune* of the People interpos'd against that Decree, he would have had Recourse to his absolute Power, and murder'd them both. He did not regard the *Senatorial*, more than the *Tribunitial* Authority; but he allow'd both to be exercis'd as far as serv'd to his Purposes, and neither so far as to thwart them, for the Sake of Justice, Law, or the Publick.

It was therefore an Act of Humanity in *Tiberius*, not to suffer his Friend to expose himself to certain Destruction by a useless Attempt: And yet what *Arulenus* offer'd was no more than his Duty. For can there be any Thing more shameful than to have a legal Authority to stop Injustice, and not use that Authority? *Arulenus* then had good Reason to say, "I am *Tribune of the People*; I am therefore oblig'd to hinder the Senate from destroying an innocent Man." But what avail'd it that it was his Right, and his Duty, since the Power of acting agreeably to them was lost? The Result of all this is, That, in so corrupted a Government, a Man of Virtue should not meddle at all.

They who consider the Magistracies, and the Legislature itself, of their Country, not as Trusts from the Publick, but only as Steps to Power, and Wealth, may be fond of attaining them under any Conditions; nay they may like them the better when they are most defiled with Corruption: But honest Men should resolve not to come into publick Employments, nor accept any Trusts from the Commonwealth, at a Time when it is become impracticable to execute them to the Ends for which they were given: Much less should they accept them when the Uses of them are so perverted, as that, instead of being the Checks, they are made the Instruments, and Screens of Male-Administration.

In such a Circumstance is it not sufficient to say, "What would you have me do? I can only ruin myself, I cannot serve my Country by doing what my Duty requires:" If you cannot serve your Country, do not serve yourself at her Cost: If you cannot serve your Country, at least, do not impose upon her. Do not call yourself a *Tribune*, or a *Judge*, or a *Sensor*, when you are reduc'd to be nothing but the Tool of a Court: Do not make the People fancy they have a Protector in you, when you know you cannot protect them; when you know your Office itself is only kept up to oppress them under a fairer Appearance. For it is this Outside of Liberty which secures and

perpetuates Tyranny. If the honeſter Part of thoſe who are capable of publick Employments, would agree to reſuſe them till they are brought back to their due Independency, and till they may be executed as they ought; it would go a great Way towards the Reforming and Reſtoring of the moſt corrupted State in the World: For it would oblige thoſe who govern either to break thro' all Forms, throw off all Appearances, and change the whole Frame of the Government, which is a Difficulty next to impoſſible, as all Hiſtory ſhews; or the People, ſeeing the Abuses, would indure them no longer, and the Spirit of the Conſtitution would by that Means be revived.—It would have very much embarras'd Julius Cæſar himſelf, if he had been obliged to govern the late free People of Rome with as bare-fac'd a deſpotick Power as the Kings of Perſia did the Slaves of the Eaſt. But with the ſpecious Names of a Senate, Conſuls, Tribunes, &c. not only he, and Auguſtus, and Tiberius, who were Men of Ability, but ſuch Ideots as Claudius, and ſuch Mad-men as Caligula, ſuch Scoundrels as Tigellinus, and ſuch Jades as Poppæa, were able to rule, inſult, and plunder a Nation proud of its Liberties.

Craftſman, Aug. 25. N^o 685.

Remarks on the Order of the Juſtices at the General Quarter Session at Hick's-Hall, for preventing and ſuppreſſing unlawful Games, Plays, &c. at Tottenham-Court Fair. The Craftſman firſt ſets down the ſaid Order, and then ſays:

W Henever reads the foregoing Order, will have Reaſon to ſuppoſe that the worſhipful Gentlemen were in earneſt, at the Time of Publication, to ſuppreſs all the unlawful Games, Plays, Drolls, and other Shows, mentioned in it. That they are unlawful cannot be doubted, ſince ſo many of his Majeſty's learned Juſtices of the Peace have declared them to be ſo; and therefore I was in hopes that they would have put their Order rigorouſly into Execution; eſpecially ſince theſe Vagabonds had the Impudence to affront the Government and Adminiſtration; for whiſt I was ſtopt in the Croud, there were two Jack-puddings entertaining the Populace from a Gallery on the Outſide of one of the Booths; one of whom represented an Engliſhman, and the other a Spaniard. The Engliſh Jack-pudding bully'd the Spaniard for ſome Time, and threaten'd to treat him as he deſerv'd; but Jack Spaniard defy'd him, bid him take Care of his Ears, and at laſt knock'd him down. I was ſhock'd at ſuch an inſolent Ridicule of our brave Countrymen in our own Country, and expected to ſee the ſcandalous Buffoons taken into Cuſtody; but I don't hear that any Examples have been yet made of them. This can be imputed to nothing but the Neglect, or ſomething worſe, of the High-Conſtable, and Petty-Conſtables of Hol-

born Diviſion, who were charg'd with the Execution of this ſolemn Order; and therefore it is expected, that their Worſhips will make a ſtrict Enquiry at their next Meeting, why their Order was not punctually obey'd; this Fair not only tending to the Encouragement of Vice and Immorality, as their Worſhips very juſtly obſerve, but even to Sedition and Diſſol-
A alty. It is not only frequented by Pick-pockets, Sharppers, Foot-pads, Bawds, and common Whores, to the utter Ruin of many Apprentices, Servants, and other young People, but renders our Nation contemptible in the Eyes of all Foreigners, who reſide here—I wiſh Sir Thomas may not ſend a triumphant Account of it to his Court.

B Whiſt the only uſeful Part of the Stage is under the abſolute Jurisdiction of a Licenſer, and ſeveral dramatick Pieces have been prohibited, without any particular Reaſon, it ſeems very extraordinary that a Parcel of infamous Strollers ſhould be indulg'd, contrary to Law, in debauching the Morals of the People, with their leud and ridiculous Mummery.

C It is to be hoped, that the preſent great Magiſtrate of this City (who hath already done it the moſt eminent Service) will take effectual Care to ſuppreſs all ſuch illegal and pernicious Entertainments, if they may be call'd by that Name, at Bartholomew Fair, and Southwark Fair, where he hath full Power to do it; the City of London, and the Diſtrict belonging to it, being exempted by the Stage-Act, if I do
D not forget, from the Jurisdiction of the Licenſer.

I ſhall conclude with ſome Remarks on the preſent State Lottery. The late Act againſt Gaming, and the Lottery-Act ſeem to cluſh with each other. Now as both theſe Laws were paſs'd the laſt Session, (and, I think, receiv'd the Royal Aſſent on the very ſame Day) the Queſtion is, if any Perſon ſhould be proſecuted on the Gaming-Act, for ſelling Chances, or Shares of Tickets, whether the Clause in the Lottery-Act, for ſelling Chances and Shares, during the whole Drawing, will exempt him from the Penalties of the other Act, without the uſual Form of, any Law to the contrary in any Wiſe notwithstanding? But this muſt be left to much better Judges of the Law than myſelf.

F I ſhall not enter into the Diſpute whether this Lottery is a good or a bad Lottery, and whether it is better or worſe than the laſt. I confeſs frankly that I am an Enemy to all Lotteries, whether legal or illegal; and I think the legal ones the moſt miſchievous, becauſe the Sanction of Authority adds a Weight to them, and extends their Influence much farther than Thoſe ſet up and carried on againſt Law. For this Reaſon, I hope that all Lotteries will be diſcountenanc'd, for the future, both by the Legiſlature and the Publick, as the Bane of Trade, the Nurſery of Extrava-
G gance, and an Encouragement of Lazineſſe.

To Mr. Brooke, Author of *GUSTAVUS VASA*.

HOW diff'rent moves the fancy, or the heart,
[from art!
What streams from genius, and what drops
The soft, sweet-sounding lute delights and charms,

But the bold trumpet animates and warms,
Excites each stronger movement of our souls,
And with resistless, rapturous sounds controuls.
The murmur'ing riv'let, and the flow'ry mead,
The mind with easy, gentle pleasures feed;
But when some larger prospect we survey,
The starry regions, or th' unbounded sea,
Whole tides of bliss, of an exalted kind,
Flow in, to fill the wide-distended mind.
Thus the soft pleasures, polish'd art can give,
From Waller's tuneful numbers we receive;
But the strong raptures, that a genius pours,
We feel from Milton's muse, and feel from yours.

On lying in the Earl of Rochester's Bed at
ATTERBURY.

WITH no poetick ardors fir'd,
I press the bed where *Wilmot* lay:
That here he liv'd, or here expir'd,
Begets no numbers grave or gay.
But 'neath thy roof, *Argyle**, are bred,
Such thoughts, as prompt the brave to lie,
Stretch'd forth in honour's nobler bed,
Beneath a nobler roof, the sky.
Such flames, as high in patriots burn,
Yet sloop to bless a child or wife:
And such as wicked kings may mourn,
When freedom is more dear than life.

The HAPPY SHEPHERD: Or, Riches bring
Cares.

AMYNTAS, with his pipe and crook,
Had long in peace and comfort liv'd;
And, while secure his little flock,
For nothing wish'd, at nothing griev'd.
Early he rose to feed his sheep,
And joyful hail'd the rising sun;
Nor sought in vain refreshing sleep,
At e'en, when that its course had run.
Thoughtless for what to eat or drink,
He had no care but how to sing;
For nature kind provided meat,
His drink the cool and wholesome spring.
This was the shepherd's happy fate,
Till prompted by ambitious views,
He beg'd of *Jove* a large estate;
Nor did the bounteous god refuse.
But when he had obtain'd his pray'rs,
And fondly hug'd the shining oar,
Possession drew a train of cares,
A numerous train, unknown before.

* Atterbury House formerly belonged to the witty Earl of Rochester, but is now a Country Seat belonging to his Grace the Duke of Argyle.

Thus with much heavier toil oppress'd,
Again he tells the god his pain;
Relieve, oh *Jove*! my tortur'd breast,
Or freely make me poor again.
Pall-Mall,
July 27, 1739. *MARCUS.*

To a young LADY in Affliction.

HEALTH, and kind wishes, with these
lines I send,
To thee, the muse's darling and her friend:
To thee, whose ev'ry grief I'd gladly share,
And whose full joy, I feel my fondest care,
Nor vain the hope, if right the muse presage,
The toils of youth shall bless thy riper age;
Whether I see thee silent in thy woe,
Or greatly rising o'er the destin'd blow,
A virtue to thy sex so rarely known,
In strength of mind, as in distress, alone.
Warm'd with the thought, such large ideas
raise,
Pity, tho' justly thine, gives place to praise:
Happy, if thro' the various scenes of life,
Unmov'd, thou thus maintain'st the noble strife:
Then will the pleasures of a soul resign'd,
And the firm joy, which fills th' heroick mind,
Be thine—thus the tall rock its peace maintains,
Whilst far beneath the noisy tumult reigns:
And thus thou, dear *Maria*! wilt be blest,
And happy in thy peace shall *Lucio* rest;
Happy, in feeling the sincere regard,
But most, in that thy smiles are his reward.
Aug. 4, 1739. *LUCIO.*

Written extempore, upon seeing a beautiful young
Lady at her Chamber-Window.

WHEN glorious *Phœbus*, all array'd in
light,
Dispels, and drives away the shades of night,
His golden aspect far less bright appears, [wears.
Than that which *Silvia*, charming *Silvia*
At noon, when he appears so dazzling bright,
He can but wound our eyes, and spoil our sight;
But she, whenever seen, lets fly such darts,
As deeply wound and pierce the hardest hearts.

Written extempore on Miss KITTY W—M.

AS the sun in its glories,
So looks my dear *Chloris*,
All glorious, all bright to behold;
As the rose when fresh blown,
Or the violet at noon,
When all their gay charms they unfold.
If e'er on her swain
She looks with disdain,
As one thunderstruck straight he appears:
But if smiles she dispense,
(So great's beauty's influence!)
Straight he loses his cares and his fears.
I i i 2 Ye

Ye pow'rs, who ordain,
Both our joys and our pain,
And claim homage from mortals below,
Let me *Chloris* adore,
I'll ask nothing more,
Since I no greater blessing can know.

EUGENIO.

No real HAPPINESS below.

*Scandit æratas vitiosa naves
Cura: nec equitum turmas relinquit
Ocyor cervis, & agente nimbo
Ocyor euro.*

— Nihil est ab omni
Parte beatum. Hor. Lib. II. Ode 16.

NEAR *Severn's* stream, the pensive *Damon*
fate,
Revolving in his mind the various cares,
That play around, and make mankind their
sport.

His soul had lately felt the cruel pains [breast,
Of disappointment. Grief o'erwhelm'd his
And dire affliction sadden'd ev'ry scene.
The wide expanse, the lofty hills, and vales
With smiling plenty crown'd; the vaulted sky,
And *Severn* rolling swift towards the main,
Could not divert his melancholy thoughts,
Which like a rav'nous vulture prey'd upon him.

And what is man! he cried, or what is life,
That we so eager grasp uncertain pleasures,
Blended with disappointment, grief, and pain?
Be hush'd, my cares, eternal Wisdom reigns,
Who kindly orders all things for the best.
He knows my sorrows, heals my fest'ring
wounds, [soul.

And breathes fresh joy, and fragrance on the
To him resign'd I learn to undergo
Severest seeming ills, with patient temper.
'Tis true they smart, but in a little while
Another scene will open; pain shall cease,
And grief and disappointment be no more.
Time flies with hasty wings. This fleeting life
Is not our all. A spirit unconfin'd
In expectation, soars beyond its bounds.

And pants for better scenes, and endless joys.
To raise the soul above the fatal charms
Of low amusement, and the things of time,
Wisdom immense hath scatter'd thro' the whole
Of earthly good, vexation, grief, and pain,
These try thy virtue, rouse thy sleepy powers,
And tell thee that thy happiness, O man,
Is not prepar'd in such a varying scene.

Thou Good supreme, thou Ruler of the skies,
Who with unvarying wisdom orderest all,
Save me from murmur'ing thought and pining
care!

Conduct me safe in virtue's shining path,
Tho' all the dang'rous scenes of human life,
And hours of strong temptation! fill my soul
With love to thee and goodness! and when time
Shall be no more, receive me to that state,
Where liquid streams of pleasure ever flow,
And steady virtue animates each heart!

Such were the thoughts that *Damon*, in dis-
tress,
Freely indulg'd. But ah! he felt the man,
And human passions bursting out afresh,
Beyond the power of reason. Let stoick sou's
Assume the god, and boldly say they're blest,
Amidst the pains of such a various life.
Vain is their boast, misfortunes, like a flood,
Rush in impetuous, grief o'erwhelms the soul,
And in such periods, reason's power is lost,
To calm the tumult of the troubled breast.

PHILANDER.

HOPE. An ODE.

HOPE, specious bait of human kind,
Delusive dream, deceitful toy,
Who with false promise leads the mind,
And feeds it with fantastick joy.

Fancy's fair jilt, you still amuse,
With something good, or something new;
You still deceive, yet still excuse
The fraud, that still we thee pursue.

Alike deceitful in your choice,
Whether the prize we gain, or lose;
A cruel caprice rules your voice,
Whether you give, or you refuse.

Dup'd by imaginary gain,
We're anxious for the thing desir'd;
Sad, when our wish we can't obtain;
And quite insipid, when acquir'd.

Thou told'st me, *Codrus*, would be just;
How soft you look'd! how kind you smil'd!
Thy syren tongue why did I trust?
That tongue so many hath beguil'd.

Thou told'st me (false one!) *Celia's* true;
The same thou said'st to twenty more:
Why did I then the maid pursue;
Or mind whate'er you said or swore?

Thou bid'st the miser to increase
His store, and swell his golden bags:
He doth; and lo! his mighty peace!
'Tis fear, despair, remorse, and rage.

The upstart mounts ambition's hill;
Thou bid'st him glory in his rise;
A gust of wind supplants his skill;
The meteor blazes, falls, and dies.

Example, old as mother *Eve*,
Declares how man has been your tool:
And all I can from self conceive,
Is, thou'rt a cheat, and I a fool.

CUPID and DEATH. A FABLE.

ONCE *Cupid* in a sultry day,
Fatigu'd with love, and tir'd with play,
Sought out a cool retreat;
A neighb'ring wood's kind gloom invites
The am'rous god to its delights,
As a defence from heat.

Just in the centre of the wood,
A wild unhewn-out grove there stood;

Th

The cave of death it show'd :
A gloomy horror sat around,
Death's shafts lay scatter'd on the ground,
And spoke it his abode.

Cupid, quite fainting, enters low,
Drops down his quiver and his bow ;
His darts with those of death
In undistingu' sh'd mixture lay ;
Unheeding takes both darts away,
Recov'ring now his breath.

O fatal chance ! 'tis thus we see
Youth in its bloom, and gaiety,
Feel death's unerring dart ;
'Tis thus we see old hoary age
In love's forgotten heats engage,
And pining with its smart.

THE BACHELOR'S WISH.

IF marriage gives a happiness to life,
Such be the woman who shall be my wife :
Beauteous as height of fancy can express,
Meek in her nature, cleanly in her dress ;
Wife without pride, and pleasing without art,
With cheerful aspect and with honest heart :
To sooth my cares, most high, most sweet
her song ; [tongue :
To blame my faults, most low, most kind her
In looser hours, in hours more dull, still dear,
A gay companion, and a friend sincere :
Fond without folly, spirit'ous without rage,
And as in youth shall seem the same in age.
Ye pow'rs above, if such a woman be,
(Such cou'd ye make) that woman give to me :
She as a wife must please, and she alone :
O ! give me such a wife, or give me none.

A DREAM.

T WAS at the time when fields look gay,
When woods their verdant bloom display,
In yon sweet solitary grove,
Devoted to the muse and love.
Retir'd from empty crowds and noise,
And all the world's delusive joys,
Beneath a shade I laid me down,
Nor envy'd sceptres and a crown.
The evening pleasant and serene ;
The stillness of the rural scene ;
The streams, that softly glide along ;
The musick of the tuneful throng,
That swell their notes amidst the trees ;
The whispers of the fanning breeze ;
All conspir'd to calm my breast
And gently lull my soul to rest.
When lo methought a nymph divine
Approach'd the shade with graceful mien ;
Her form so lovely sweet and gay
Diffus'd a new supply of day,
Reviv'd the verdure of the ground,
And made all nature smile around.
The fabled queen of Paphos coast,
So many graces ne'er could boast :

The lustre of her sparkling eyes
The radiant gems that fill the skies
As far excell'd as *Phæbus*' light
Outshines the glimmering shades of night :
Her ruby lips and well turn'd nose
Ten thousand beauties did disclose ;
Her face so delicately pure,
Was fairer than the fairest flower ;
Her silken hair display'd behind
Wanton'd in the amorous wind ;
The amorous wind fond to possess,
Enraptur'd stole thro' every tress,
Kiss'd each ringlet's flowing pride
And in the sweet enjoyment dy'd.
Her robe of finest *Tyrian* dye,
Loos'd to the gale, and flowing by,
Her breasts luxuriant swelling shows,
Her breasts a heaven of charms disclose,
That might a second fall inspire,
And fill a cherub with desire :
Her legs with alabaster vye,
Proportion'd to the nicest eye,
Daisies, pinks, and violets meet,
And spring beneath her ivory feet.
Methought the divine creature smil'd,
With countenance serenely mild,
Advanced to the beechen shade,
Where I unhappy swain was laid,
Rais'd in her lily hand a dart,
And wounded *Strepson* to the heart.
Starting awake I threw my eye
Around to see what power was nigh,
What deity my fancy fir'd,
And such a wondrous dream inspir'd ;
When lo in all the charms of love,
I saw my *Cloe* walking in the grove.

CELADON.

Imitation of the 7th ODE of the 4th Book of
Horace. To Clitander.

THE hoary snows are gone, the verdant
fields
Are cover'd o'er with smiling green ;
The spreading trees unfold their tender leaves,
And form the muse-inspiring shade ;
How chang'd the lands ! while in their banks
confin'd,
The peaceful gliding rivers flow.
The graceful shepherdess securely bears
Her snowy bosom to the gale,
Nor fears to lead the moon-light dance and press,
With ivory feet, the velvet turf.
See how the periods of the fleeting year,
And every flying hour of time,
Contracting still the narrow span of life,
Proclaim that man's of mortal race.
Just now the vernal zephyrs breath dispels
To distant climes the piercing colds ;
The scorching beams of summer then succeed,
With sultry heat the balmy spring ;
Till autumn loaded with his golden stores
His riches pours with bounteous hand :
And then again with hyperborean frosts,

In

In storm, and tempest, winter comes.
 Thus the revolving course of time restores
 The seasons and their grateful change.
 But if that shadow of a bubble, man,
 Once to th' infernal coasts descends,
 Where ev'n the pious, wealthy, and the great,
 Together undistinguish'd go,
 There's no return, and here the anxious hours
 We spend in an uncertain fate,
 If heaven propitious will our days prolong,
 Or if this moment be our last.
 Haste then, *Clitander*! haste to live, be quick
 The rapid minute to enjoy;
 Away with every narrow, hoarding thought,
 Bid every stream of bounty flow;
 Shall virtue fair, in indigence complain,
 And sorrow droop th' afflicted head?
 While with *Clitander* there remains the bliss,
 The heavenly bliss of doing good,
 Of comforting th' afflictions of distress,
 And making poverty rejoice. [eyes,
 When once death's leaden hand has clos'd your
 And the last awful sentence past,
 Not all the glories of thy splendid race,
 Nor eloquence with all its power,
 Nor sanctity of manners can restore
 Again, the fleeting tide of life;
 But god-like deeds, as these, shall never die,
 Or perish with your mould'ring dust:
 These shall immortalize your sacred name
 To heaven exalted, on the wings of deathless
 fame. *CELADON.*

On the ingenious Mr. H—

ONCE more my muse resume the lyre,
 And touch the long neglected string,
 'Tis *H—* thy choicest lay demands,
 'Tis *H—* invites the muse to sing.
 O could I bid my verse like his,
 In sacred numbers gently flow,
 Each swelling line should sound his praise,
 And with his name immortal grow.
 Thro' every different scene of life,
 The bard divine my song should trace,
 And brightest glories paint alike
 The beauties of his mind and face.
 But lo he comes in awful state,
 And walks majestic along,
 Gods! how superior he appears
 Above th' ignoble gazing throng.
 How tall! how graceful is his shape!
 So well proportion'd every part,
 From him an *Angelo* might learn
 The finest touches of his art.
 Unlike those gaping, dumpling things,
 The sport and jest of nature's plan,
 Made of the rubbish of mankind.
 And meant for monkeys not for men.
 Assist, thou genius of my song,
 And all the wondrous man disclose,
 While from his mouth superior wit
 And eloquence eternal flows.
 Or if his mind, attentive fixt,
 The strength of reason's power explore,

In lofty numbers scan her ways,
 And think what ne'er was thought before,
 Or if in tragick lays supreme,
 Along the buskin'd poet sweeps,
 While wond'ring choirs astonish'd stand,
 And e'en a mighty doctor weeps.
 But stop, my muse! the task is vain,
 'Tis *H—* alone that is design'd
 To show those beauties in his works,
 That *H—* himself can only find.

CELADON.

CATULLUS, Epig. XIX. imitated.

SUFFENUS, whom you know the witty,
 The gay, the talkative, the pretty;
 And, all his wonders to rehearse,
 The thing that makes a world of verse;
 I'm certain I shou'd not bely him,
 To say he has some thousands by him.
 Yet none deform'd with critic blot,
 Or to rub out on vellum wrote.
 Royal paper! scarlet strings!
 Gilded backs! and such fine things!
 But—when you read 'em, then the witty,
 The gay *Suffenus*, and the pretty,
 Is the dullest, heaviest clown,
 So alter'd he can scarce be known.
 This is strange! that he who now
 Could so flatter, laugh, and bow,
 Shou'd be so ungenteel a wight
 Whenever he attempts to write;
 And yet the wretch is ne'er so pleas'd,
 As when he's with this madness seiz'd.
 Faith, sir, we all this blunder make,
 All labour in the same mistake,
 Nor is the best of men so clear
 From ev'ry folly, but somewhere
 Still the *Suffenus* will appear.
 Quickly, we others errors find,
 But see not our own load behind.

Dr. *Urban* has lately made a Practice of stealing Poems from our *Magazine*, and publishing them in his own, with Alterations and Additions by his own Operators; if he is discovered in the Theft, he pretends *They were made proper for his Collection by some new Observations*, or some such poultry Excuse. We need only instance *The Ode to Fame*, and *Stokes-Bay*, both stolen from the *London Magazine*, of the latter of which he says, *It has been thought necessary to help a few of the Lines*: The Dr. has likewise discovered by his great Depth of Learning, that we spelt the Author's Name wrong, and that *New Forest* is in *Hants*.


We forgot to acknowledge the Receipt of the Poem, entitled, *Brent* (from a Village of that Name in *Somersetshire*) which has already been printed by *W. Collins* of *Sarum*, price 6d. from this Poem Dr. *Urban* stole a few Scraps, and publish'd them in *Feb. 1735.* as a Description of *Lincolnshire Fens*.

Several Pieces are omitted this Month for want of Room.

THE

THE Monthly Chronologer.

FRIDAY, Aug. 3.

 HE three following Male-factors were executed at Tyburn, viz. *David Roberts*, for High Treason, in diminishing the current Coin of this Kingdom.—*Thomas Bridge*, for the inhuman Murder of his Wife in *Baldwin's-Gardens*: And, *George Broderick*, formerly a Post-Boy, for robbing *William Reynolds* on the Highway. *Roberts* was drawn to the Place of Execution on a Hurdle, and the two latter in a Cart.

Tyburn was at the same Time hung with Women's Thread and Cotton Gloves, to disgrace the wearing of them; the Stocking Weavers incroaching on the Glovers in this Branch of Trade has occasioned much Difference between them: The Glovers are willing to allow the Stocking Weavers the Legs as their Property, but hope at the same Time the Ladies will assist them with their Hands, by wearing Leather Gloves.

SUNDAY, 5.

The Person known by the Name of *Lord Vaughan*, with two others, lately seiz'd at *Chester*, for Coining, &c. were brought to Town in a Coach, and committed to *Newgate*. A Rescue was attempted near *St. Albans*, by some of their old Acquaintance from *London*, and the Person who had them in Custody very much wounded in the Skirmish; however he brought them all safe to Town, and saw them into their former Lodgings.

John Hanna, (the Boy that was Evidence against *Capt. Longden*, in the Court of Admiralty, for running down the Fishing Vessel, &c. (See Vol. VII. p. 578.) who was committed to the New Gaol for a Robbery on the Highway, after his Confinement there confess'd that all he swore against his Master, the Captain, was false, and a damnable Device to take away his Life.

TUESDAY, 7.

Was held a Board of Admiralty, when their Lordships were pleas'd to put his Majesty's Ship the *Dunkirk*, a fourth Rate, into Commission, and gave the Command to *Capt. Baker*. Several other Men of War were likewise put in Commission about the same Time, and the Discourse of a War was as hot this Month as ever.

THURSDAY, 16.

The Parliament of *Ireland*, which stood prorogu'd to this Day, was farther prorogu'd to *October 9*.

His Grace the Duke of *Atbel* was receiv'd

as *King in Man*, by the Inhabitants of that Island, with great Expressions of Joy: The Firing of the great Guns was heard distinctly on the Coast of *Galloway*.

MONDAY, 20.

The *Mercury* Fire-Ship, commanded by the Hon. Lord *George Graham*, fell down the River from *Woolwich* for the *Downs*, to join the Fleet there, whither the other four Fire-ships are order'd to follow with the utmost Expedition.

The Commissioners of his Majesty's Navy, contracted with Ship-Builders for building ten Gallies, to carry 20 Guns each, for his Majesty's Service; which Gallies are design'd against *Spanish* Privateers, and to be built with the utmost Expedition.

WEDNESDAY, 22.

Instructions were sent from the War-Office to the commanding Officers of the four Regiments of Horse, and eight of Dragoons, for forthwith levying 1200 Men, in order to add ten Men to every Troop in the said Regiments.

THURSDAY, 23.

His Royal Highness the Prince of *Wales* sent a Message to his Majesty, to acquaint him that her Royal Highness the Princess of *Wales* was again with Child.

FRIDAY, 24.

The Prefs for Seamen was warmly revived on the *Thames*, when the Gangs were very successful, sweeping off a Number of Hands on both Shores.

SATURDAY, 25.

The Assizes ended at *Kingston upon Thames*, for the County of *Surrey*, when the 8 following receiv'd Sentence of Death, viz. *Noah Gooby* for robbing *Mr. Deacon* in *Kennington-lane*; *Norris Hodson*, for a Robbery on *Putney-common*; *John Hanna*, (Evidence against *Captain Longden*,) for robbing *James Howard* between *Kingston* and *Ditton*; *Peter Willington*, *Johanna Rashford Sambo*, and *Eleonor Spencer*, for robbing *Stephen Freeman*; *Michael Lucas* otherwise *Stanley*, for stealing out of the House of *John Parnel* two Gold Rings and Money to the Value of five Pounds; *John Hollings*, for stealing a Horse, a Bag, Part of a Leaden Pump and Iron Work, out of the Field and Garden of *Josiah Wordsworth*, at *Croydon*. *Hugh Randall*, concerned in the above Fact, kill'd himself, by cutting his left Arm to the Bone above the Elbow.

His Majesty's Pleasure has signified, that all the reduced Officers on the *British* Establishment of Half-pay do forthwith transmit

mit to the Secretary of War an Account of their respective Ages and present Places of Abode; and that no Payments whatever be made them by Letter of Attorney or Assignment until his Majesty's Commands herein be punctually obeyed.

At the Assizes at *Reading*, 3 Men receiv'd Sentence of Death, one for setting Fire to several Houses, the two others for robbing on the Highway.—At *Salisbury*, 2 Men for robbing on the Highway.—At *Buckingham*, one for Horse-stealing; where Mr. Justice Denton sat for the first Time in his own County, pursuant to the late Act. (See p. 307.)—At *Oxford*, 3 for House-breaking.—At *Northampton*, one for Dear-stealing, and one for Horse-stealing.—At *Winchester*, one for Burglary, and two for the Highway.—At *Darby*, one for the Highway; and a Person for coining Moldores, was sentenc'd to be imprison'd for Life, and to forfeit all his Estate, Goods and Chattels.—At *Norwich*, one for cutting off the Work from his Loom, one for House-breaking, and one for stealing a grey Mare.—At *Rockester*, 3 Men and one Woman receiv'd Sentence of Death.—At *Bristol*, one, for stealing (under the Disguise of a Fortune-teller) 20 Guineas.—At *Shrewsbury*, 2 for Horse-stealing, and one for House-breaking.—At *Chelmsford* and several other Places, the Assizes prov'd to be Maiden ones, none being capitally convicted.

MARRIAGES and BIRTHS.

CAPT. Tbo. Johnson, of Croydon, to Miss Rebecca Danvers.

Dean, Esq; of Wilcot in Oxfordshire, to Miss Mally Bridges, Niece to his Grace the Duke of Chandos, and one of the Daughters of the Rev. Dr. Bridges.

Anthony Keck, of Lincoln's-Inn, Esq; to Miss Busby of Leicestershire, Niece to the late Sir George Beaumont, Bart.

Cox, of Somersetshire, near Bath, Esq; to Miss Norley, a young Lady near Exeter, of 30,000*l.* Fortune.

Mr. Richard Partington, a Wholesale Stationer, to Miss Elizabeth Spurrier, Niece to Michael Hillersdon, of Busb-lane, Esq; a Fortune of 10,000*l.*

Godfrey Copley, of Yorkshire, Esq; to Miss Brace.

Matthew Le Heup, Esq; to Miss de Cambe, of Ratwibbone-place.

James Dance, Esq; of St. John's-College, Oxford, to Miss Hooper.

Lady Viscountess Galway brought to Bed of a Son.

The Lady of Sir Tbo. Lawley, Bart. also deliver'd of a Son.

DEATHS.

IN Childbed, in the 39th Year of her Age, the Lady of Sir Jacob Astley,

Bart. of Melton-Constable in Norfolk; she was Sister to Sir Tbo. L'Estrange, Bart. of the same County.—Lady Viscountess Loftus, in Ireland.—Lady Legard, at Brompton, near Scarborough.—In the Tower, Mr. George Hooper, one of the Officers belonging to the Mint.—Rev. Richard Peers, M. A. Vicar of Farringdon in Berks, Author of the *Companion for Youth*, and other devotional Tracts.—At Redgrave-Hall in Suffolk, Rowland Holt, Esq; a Gentleman of 7000*l.* per Ann. which devolves to his eldest Son about 14 Years of Age.—William Shaw, Esq; Son of William Shaw, Esq; formerly one of the chief Clerks of the Treasury.—Mr. Charles Bowler, a wealthy Norwich Factor.—Rev. Mr. White, M. A. Chaplain to the late Earl of Bradford.—George Clarke, Esq; only Son of the late Sir John Clarke, Knight.—The Marquess de Montandre, Field Marshal of England, Governor of Guernsey, Master of the Ordinance in Ireland, General of Foot, and Peer of France. He came over with King William, and was in all the Wars of that Prince, as likewise those of Queen Anne.—The Hon. Laurence Shirely, Esq; next Brother to the Right Hon. the Earl Ferrers.—Rev. Dr. Hayley, Dean of Chichester, Prebendary of Winchester, and possess'd of a Living in Hampshire.—Lord Higham, Son and Heir to the Earl of Malton.—Lord Charles Fitzroy, third Son to his Grace the Duke of Grafton, at Milan, July 29.—Mr. Crispe, some Time since a Super-Cargo in the East-India Company's Service.—Mrs. Church, Wife of James Church, Esq; of Bread-street, and Sister to the late Sir Randolph Knipe, Knt.—Rt. Worshipful Humphry Henchman, Doctor of Laws, Chancellor of the Dioceses of London and Rockester.—At his Seat at Combe Abbey in Warwickshire, William Lord Craven of Hempsted Marshal. He is succeeded in Dignity and Estate by his Brother, the Hon. Fulwar Craven, Esq; now Lord Craven.—Lieut. General Gore, Col. of his Majesty's Royal Regiment of Dragoons, and Governor of Kinsale in Ireland.—Walter Greenwood, Esq; in the Commission of the Peace for the County of Middlesex.—Mr. Silvester, Post-Master of Farringdon, of a Fever, which was very rare there at this Time.—Lieut. Col. Gilbert Primrose, an Officer on the Irish Establishment.—At his House in Farringdon, in the 3rd Year of his Age, Mr. John Astley, Attorney at Law, of a Fever, of which Distemper his Sister died a few Days before, and his Mother a few Days after.—Lieut. Col. Creamer, Commander of a Company, and second Major in his Majesty's third Reg. of Foot Guards.—At his House in Farringdon, the Rev. Mr. Paine, Vicar of Rarnsley near Cirencester.

Ecclesiastical PREFERMENTS.

PRepresentations pass'd the Great Seal, to enable Tbo. Crowley, M. A. to hold the Vi-

carage of Ulreby in *Lincolnshire*; Henry Steven-
son, M. A. to hold the Vicarage of *Elkeshale*
in *Nottinghamshire*; Robert Tvoycrofts, M. A.
to hold the Vicarage of *Waterperry* in *Oxford-*
shire; Joseph Atwell, D. D. to hold the Vi-
carage of *Fairford* in *Gloucestershire*, and George
Brackhafe, M. A. to hold the Vicarage of
Milton-Earnest in *Bedfordshire*.—Mr. Tyrwitt
chosen Lecturer of *St. Bartholomew the Less*,
in the Room of Mr. Whittingham, who re-
sign'd.—Mr. Dowdeswell, of *Clare-Hall*, pre-
sented to the Rectory of *Reedham* in *Norfolk*.
—Mr. Pettinghall, to the Rectory of *New-*
port in *Monmouthshire*.—Edward Tart, B. A.
to the Vicarage of *St. Mary*, in the County
of *Warwick* and Diocese of *Worcester*.—Dr.
Baker, of *All-Souls College*, *Oxford*, to the
Vicarage of *Farringdon*, *Berks*.—Dr. Thomas
Bullock made Dean of *Norwich*, in the Room
of Dr. Baron, deceas'd.—Dr. James Har-
groves made Dean of *Chichester*, in the Room
of Dr. Hayley, deceas'd.

Promotions CIVIL and MILITARY.

JOHN SIMPSON, Jun. Esq; appointed Re-
ceiver General of the Land-Tax for the
County of *Leicester*.—John Lowbridge, Esq;
Receiver General of the Land-Tax for the
County of *Worcester*.—Mr. Shankmeier made
Yeoman of his Royal Highness's Wine Cellars.
—Mr. Mark Hazokins chosen by the Gover-
nours, Surgeon to the *Charter-house*, in the
Room of Dr. Bamber, who resign'd.—Wil-

liam Wentworth, Esq; made Capt. of a Troop
in Lieut. Gen. Gore's Reg. of Dragoons.—One
of the Brothers of the Rt. Hon. the Lord
Viscount Barrington made an Ensign in the
Army.—Mr. Asbburnham, Page of Honour
to his Majesty, made a Cornet in Major Gen.
Ligoniere's Reg. of Horse in *Ireland*.—Robert
Dallway, Esq; Lieut. Col. to the said Regi-
ment, made Col. of a Reg. of Foot in that
Kingdom.—Robert Rich, Esq; Son to Sir Ro-
bert Rich, Bart. and Capt. Lieut. in the first
Reg. of Foot Guards, made Aid de-Camp to
the Rt. Hon. Sir Charles Wills, as first Gene-
ral of Foot.—Sir Charles Wills appointed a
Field Marshal, in the Room of the Marquis
de Montandre, deceas'd.

Persons declar'd BANKRUPTS.

BROOK Rawson, of *Manchester*, Merchant.
—John Edge, John Boardman, and Ri-
chard Irlam, all of *Manchester*, Chapmen and
Partners.—Leopole Pick, of *New Bond-street*,
Merchant.—George Saunderson, of *Alford* in
Lincolnshire, Butcher.—John Springall, of *Nor-*
wich, Worsted Weaver.—John Hooker, of *Pi-*
cadilly, Hosier and Hatter.—William Ward,
late of *Gray's Inn-Lane*, Hackney Coachman.
—John Thomas, late of *Bristol*, Joyner and
Cabinet-maker.—Thomas Spring, late of *St.*
Mary Magdalen, *Bermondsey*, *Surry*, Bricklayer.
—Peter Wigley, of *St. Dunstan in the West*,
Peruke-maker.—Herbert Grove, of *Kinsare* in
the County of *Stafford*, Mercer.—Benjamin
Fielder, of *Fareham*, *Hants*, Malster.

STOCKS.

S. Sea 93 Afric. 13 $\frac{1}{2}$
—Bonds 11. Royal Aff. 89
—Annu. 108 $\frac{1}{8}$ a $\frac{3}{4}$ Lon. ditto 11 $\frac{1}{4}$
Bank 138 $\frac{1}{2}$ a $\frac{1}{2}$ 3 per C. An. 99 $\frac{1}{4}$
—Circ. 31. 10s. Salt Tallies $\frac{1}{2}$ a 11. $\frac{1}{2}$
Mil. Bank 114 $\frac{1}{2}$ Emp. Loan 105
India 153 $\frac{1}{2}$ Equiv. 111 $\frac{1}{2}$
—Bonds 21. 17s. a 18s. Lot. Tick. 7s. a 7s. 6d.

The Courie of EXCHANGE.

Amst. 35 7 Bilbao 39 $\frac{1}{4}$
D. Sigbt 35 5 a 4 $\frac{1}{2}$ Leghorn 49 $\frac{1}{8}$ a $\frac{1}{4}$
Rotter. 35 9 Genoa 52
Hamb. 34 3 Venice 50 $\frac{1}{4}$ a $\frac{1}{8}$
P. Sigbt 31 $\frac{1}{8}$ Lisb. 5s 5d a $\frac{1}{8}$
Bourdx. 31 Oport. 5s 5d $\frac{1}{8}$
Cadiz 40 a 39 $\frac{1}{8}$ Antw. 36 6 a 5
Madrid 40 a 39 $\frac{1}{8}$ Dublin 9 $\frac{1}{4}$

Prices of Goods at Bear-Key.

Wheat 28 35 Oats 12 14
Rye 12 17 Tares 20 23
Barley 13 18 Pease 20 29
H. Beans 20 23 H. Pease 16 17
P. Mals 16 23 B. Malt 16 18

Abstract of the London WEEKLY BILL, from July 24. to Aug. 21.

Christned	{ Males 588 } { Females 598 }	1186
Buried	{ Males 830 } { Females 833 }	1663
Died under 2 Years old		678
Between 2 and 5		146
5	10	69
10	20	72
20	30	126
30	40	129
40	50	134
50	60	125
60	70	102
70	80	60
80	90	17
90 and upwards		5

1663

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ON

ON the 8th of last Month, the Veldt Marshal Count *Wallis*, then incamped with the Imperial Army under his Command at *Wischmiza*, was informed that the Vanguard of the *Turkish* Army was advanced as far as *Grotzka*, upon which he called a Council of War, consisting of the Veldt Marshal Baron de *Seker*, General *Neupary*, the Prince of *Saxe-Hildbourghausen*, Count *Styrum*, and others, and the unanimous Resolution was, not to wait for the Body of Troops commanded by Count *Newperg*, then incamped at *Jabouk*, but to march immediately and attack the Enemy, before they could entrench themselves at *Grotzka*, which was a very advantageous Post. Accordingly the Veldt Marshal *Wallis*, and the Veldt Marshal *Seker*, with 14 Regiments of Horse, and 18 Companies of Grenadiers, began their March as privately as possible about Midnight; the Prince of *Saxe-Hildbourghausen* being ordered to follow as soon as possible with all the Foot; and Count *Newperg* was ordered to bring up his Detachment with all possible Dispatch.

The 9th the Troops halted, but Count *Wallis* hearing that the Enemy had attacked his advanced Guards, General *Bernclau* was detach'd in the Night with 1000 Men, and some Hundreds of Volunteers, to support the advanced Guards, and to attack the advanced Guards of the Enemy; but as most of their Troops had already passed the *Morawa*, he was attacked by them, and tho' he repulsed them three Times, yet in all Appearance he would have been overpowered by Numbers, had he not fallen upon the following Stratagem. As soon as he found he was like to be overpowered, he ordered the Trumpets of his Detachment to retire, and post themselves behind a Hill in a Wood near the Enemy, where they presently began all to sound a March, which, being re-echoed from the Hills and Woods, made the Enemy believe that the whole Imperial Army was just coming upon them, whereupon they retired with the utmost Precipitation towards *Grotzka*; the Imperialists having had but 12 Men killed and wounded in the Skirmish.

The 10th in the Evening the Imperial Army received Orders to hold themselves in readiness to march without Noise, and the better to conceal their March, a Drummer out of each Company was ordered to stay behind with the Baggage; yet notwithstanding all these Precautions, the Enemy, it seems, had timely Notice of their Motions; for the Vanguard, consisting of three Regiments of Horse, found Detachments properly posted, and ready to receive it; so that in their Advance through Defiles and narrow Paths, they found themselves very roughly handled by a continual Fire from the Bushes and Vineyards on each Side. However as the Vanguard was sustained by other Troops continually advancing, it made a brave Defence until the Action be-

came general; and in spite of the Defiles which the Imperialists were obliged to pass through, the *Turks* were repulsed on all Sides. But the Regiment of *Hobenzollern*, which had distinguished itself by its Bravery during the Action, having pushed too far, was at last attack'd so furiously, and by such Numbers, that it was obliged to give Way, and falling back upon the other Troops, occasioned such Confusion, that they were all obliged to retire to the rising Grounds adjacent. In the mean Time, the Prince of *Saxe-Hildbourghausen* arrived with the Foot, and finding the Horse and Grenadiers retired in Confusion, he immediately made himself Master of an advantageous Post upon the Right, which was the only one that would cover the Retreat of the Army; and tho' in this Post he was several Times most furiously attacked, yet he always repulsed the Infidels. Nevertheless, the Disorder the Troops were in spread as far as the Baggage, and would probably have been greater and more fatal, had it not been for the Arrival of the 13000 Men commanded by Count *Newperg*, who for greater Expedition had made the Soldiers pull off their Coats, and had left all the Baggage behind him. Upon the Arrival of these fresh Troops, Count *Wallis* renewed the Engagement, which lasted till the Evening without Interruption, and with a dreadful Fire on both Sides.

As the Imperialists had lost a great many Officers and Soldiers in this long Engagement, and found they could not force the Enemy from the advantageous Post they had got Possession of, they retired in the Night Time to their old Camp; but Forage being scarce in that Neighbourhood, they retired from thence next Night, and on the 13th in the Morning entered the Lines of Circumvallation under *Belgrade*. But as the Army could not long remain there for Want of Provisions, the heavy Baggage was sent to the other Side of the *Sava* on the 14th in the Evening, and as soon as it was Night the Army began to file off, one Part through the Town of *Belgrade*, and the other Part by two Bridges that had been laid over the *Danube*; so that by Day-break the whole Army had passed over that River, and incamped next Day near the Village of *Penna*, a League from *Belgrade*; from whence they saw the Enemy enter into the Lines under *Belgrade*, which they had forsaken.

In this Battle Generals *Larsner* and *Wittroff*, Count *Caraffa*, the young Prince of *Waldeck*, and the Prince of *Hesse-Rhinfels* were killed; and the old Prince of *Waldeck*, the Prince of *Berkenfeld*, the Generals *Grune* and *Berni*, Prince *Charles* of *Lorain*, Count *Dann*, and the Earl of *Crawford*, who was there as a Volunteer, were wounded. Besides these, it appears from a List of the killed and wounded, published by Authority at *Vienna*, that there were of the Foot 43 Officers killed, and 138 wounded;

wounded; and of the Horse 69 Officers killed, and 67 wounded; the Whole amounting to 117 Officers killed, and 211 wounded; and that of private Men, including Quarter Masters, Sergeants and Corporals, there were 5475 killed, and 5376 wounded.

On the 10th, when the Imperial Army marched to attack that of the Infidels at *Grotzka*, Admiral *Pallavicini*, with the Imperial Fleet under his Command, received Orders to sail towards *Grotzka* in order to keep the *Turkish* Saicks at a Bay, and to disperse the Infidels who had taken Post on the Banks of the *Danube*. In his Way thither he sunk three Saicks, and obliged the Infidels to retreat from the Banks of the River; but next Day, being the Day of the Battle between the Land Armies, he found himself surrounded by near 100 *Turkish* Saicks, which made a terrible Fire from their Guns and small Arms; but he managed so well, that after sinking several of their Saicks, and killing a great Number of Men, he made his Retreat to *Belgrade* without losing any of his Ships, tho' the Bank of the River was lined with Troops and Batteries, which the Enemy had again planted there for intercepting his Retreat.

As soon as the *Turkish* Army had taken Post about *Belgrade*, they began to form the Siege of that Place, and have been ever since playing upon it with great Fury, but with little Skill, from several Batteries. And as there is a numerous Garrison, consisting of 20000 good Troops, well provided with every Thing, in the Place, it is to be hoped they will be disappointed in their Enterprize; which seems to shew no great Wisdom in their Councils; for in all Appearance they would have done better to have pursued the Imperial Army, in order to have brought them to a second Engagement; and this it seems the Court of *Vienna* was most afraid of; for which Reason, the Prince *Lobkowitz* was ordered to march from *Transylvania* with the Imperial Army under his Command, to reinforce the grand Army under Count *Wallis*; but now the *Turks* have begun to amuse themselves with the Siege of *Belgrade*, that Prince has been ordered to return to *Transylvania*, and endeavour to penetrate into the *Turkish* *Moldavia*.

The Grand *Vizir* having resolved to besiege *Belgrade*, he ordered a Detachment of 30000 Men to pass the *Danube*, in order to get Forage, and to harass the Imperial Army, which Count *Wallis* had an Account of, but made no Motion to oppose their Passage, only dispatched an Order to Admiral *Pallavicini*, to advance with the Men of War, and to sink the Enemy's Bridge as soon as they had passed, which Order the Admiral executed next Day with Success. The *Turkish* Detachment advanced towards *Pancsova*, where they formed a Camp at some Distance from the Imperialist Army, which was then incamped at *Jabouka* on the River *Temes*. On the 19th at Night,

the Imperial Army marched, and about 2 a Clock in the Morning came within Musket Shot of the Enemy's Camp, which they attacked on several Sides at once. The Action lasted for about 3 Hours, with a very smart Fire on the Side of the Imperialists, and the Enemy being at last put into Confusion, abandoned their Camp, their Ammunition, and Part of their Baggage; but as the Pursuit was interrupted by a heavy Shower, their Loss was not so considerable as it would otherwise have been, tho' most of their Colours were taken, and two *Bashaws* made Prisoners. The rest retired towards *Vipalanka*.

From *Muscovy* we have an Account, that on the 3d of last Month the Princess *Anne of Mecklenburgh*, was married to Prince *Anthony Ulrick of Wolfembutte*, who, before the Marriage Ceremony was performed, was declared Generalissimo of all the Forces, and Stadtholder of the *Russian* Empire.

Towards the End of *June*, the *Russian* Army under Count *Munich* having passed through *Poland*, and approached near the *Nieser*, the General passed that River by Surprise, with a strong Detachment of regular Troops and *Cossacks*, and making an Inroad upon the *Turkish* Territories, plundered and burnt the Towns of *Sorokka*, *Mobilow*, *Sadeva*, *Magilijew*, and *Balinetz*; and returned to the Camp with a great Booty. He afterwards encamped his Army within three or four Leagues of the *Nieser*, where he expected the *Turks* and *Tartars* would come and attack him; but they remaining quiet in their Camp, and having nothing in View but to oppose his Passage, he marched privately with his Army up that River to a Place called *Sinchova*, where the River is narrower and more shallow than near *Obozsim*; which March was performed with so much Secrecy, that his whole Army passed over the River, before the *Turkish* Army had the least Notice of their Motion. As the News of a Battle between these two Armies is every Day expected, the last *Dutch* Mail brought an Account of its being currently reported at *Warsaw*, that an Express was arrived with the News of a bloody Battle having been fought in *Moldavia* between the *Russians* and *Turks*, in which the latter were entirely routed, having left near 30000 Men; a Confirmation of which Piece of News is impatiently expected.

The *Assogue* Ships from *New Spain*, bound for *Old Spain*, we are told, had on Board for the King of *Spain's* Account 397,797 *Pesos* of Silver, and 56657 *Quintals* of Copper; and the *Spanish* Merchants Account, in coined Silver 3,932,339 *Pesos*, in coined Gold 5604 *Pesos*, in wrought Silver 6187 Marks, 2697 Serons of *Cochineal* 297700 *Banilles*, 4272 *Arobes* of *Indigo*, 683 Serons of *Cochineal* *Silvestris*, 3127 prepared Hides, 78 Chests with Presents, 118 Chests of Drugs, and 10 Chests of *Jesuits* Bark. The

HISTORICAL and MISCELLANEOUS.

1. **M** R. Rollin's Antient History, Vol. XII. XIII. and last. Printed for Mess. Knapton, 8vo, price 10s.
2. Historia Josephi Patriarchæ, Latin and Hebrew. Auctore R. Grey, S. T. P. Impensis J. Stagg and D. Browne, price 3s. 6d.
3. The History of King Apprius, &c. Sold by the Booksellers, price 2s.
4. An Account of many signal Atchievements against the Spaniards. Printed for J. Torbeck, price 1s. 6d.
5. A compleat Guide to Persons concern'd in Trade in London. Printed for J. Osborne, price 1s. 6d.
6. The Gardener's Dictionary, Vol. II. which compleats the Work. By P. Miller, F. R. S. Sold by C. Rivington, Folio, price 35s. in Sheets to Subscribers.
7. A Discourse on the Nature of Moral Obligation. Printed for T. Gardner, pr. 6d.
8. The Cure of Schism. By a Friend to the Dissenters. Sold by T. Astley, price 3s.
9. Memoirs of the Duke de Ripperda. Printed for J. Stagg and D. Browne, 8vo, price 4s. 6d.
10. The Bishop of London's Pastoral Letter. Sold by J. Roberts, price 4d.
11. Mr. Whitefield's Answer to the Pastoral Letter. Printed for J. Oswald, pr. 6d.
12. Remarks on the Pastoral Letter. By R. Seagrave, A. M. Printed for J. Oswald, price 6d.
13. An earnest Appeal to the Publick, on Mr. Whitefield's Answer. Printed for J. Roberts, price 6d.
14. Observations on Mr. Seagrave's Conduct and Writings. Printed for S. Austen, price 6d.
15. The Life of David Nefas, Esq; Printed for J. Brett, price 1s.
16. * Poetæ Minores Græci, selecti & emendati. Impensis G. Innys, R. Manby, & C. Batburs, 8vo, price 4s. 6d.
17. * Pub. Terentii Comædiæ sex, cum Interpretatione & Notis ad usum Seren. Delphini, 8vo, price 5s.
18. An Enquiry into the Virtues of the Medicinal Waters at Bristol. By P. Keir, M. D. Printed for R. Willock, pr. 2s. 6d.
19. Observations in Surgery. Printed for J. Hodges, 8vo, price 5s.
20. The young Mathematician's Companion. By C. Leadbetter. Printed for J. Hodges, price 2s. 6d.
21. The whole Doctrine of Logarithms. By B. Martin. Printed for J. Hodges, 8vo, price 5s.
22. The new Art of War. Printed for T. Gardner, price 2s. 6d.
23. * A compleat Treatise of Practical Navigation. By A. Patoun, F. R. S. The 2d Edition, 8vo, price 5s. 6d.
24. The natural History of the Rhino-

ceros. Printed for J. Duke and T. Boreman, price 6d.

25. A due Examination of Mrs. Stephens's Medicine. Printed for T. Cooper, price 6d.

26. A Collection of entertaining Histories. By Mrs. Aubin. In 3 Vols. 12mo, pr. 7s. 6d.

27. Memorials and Characters. N^o 10. Printed for J. Wilford, price 1s.

POLITICAL.

28. An Address to the Electors of Great Britain. Printed for H. Goreham, pr. 1s.

29. An excursive View of the present State of Men and Things. Printed for C. Corbet, price 1s.

30. Men and Measures characteriz'd. Printed for T. Cooper, price 6d.

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